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SENATE JOURNAL

OF THE

TENTH SESSION

OF THE

Legislative Assembly

OF THE

STATE OF MONTANA

Convened at Helena, the Capital of said State, on the Seventh Day of January, A. D. 1907, and Concluded on the Seventh Day of March, A. D. 1907.

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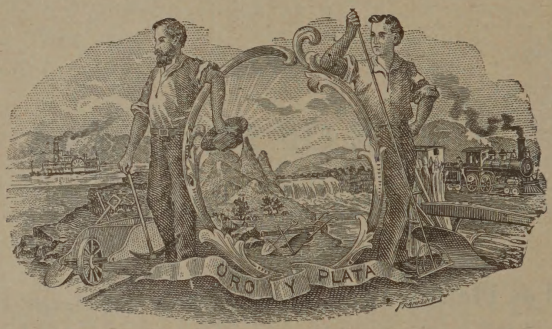
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STATE SENATORS.

NAME.	Politics	County	Postoffice Address
*Albright, Jacob	Rep	Madison	Virginia City
*Annin, J. B.	Rep	Yellowstone	Columbus
Bielenberg, J.	Rep	Powell	Deer Lodge
*Cardwell, Edward	Dem	Jefferson	Jefferson Island
*Cowgill, William	Rep	Teton	Choteau
*Donlan, Ed.	Rep	Missoula	Missoula
*Edwards, J. E.	Rep	Rosebud	Forsyth
*Everett, T. M.	Rep	Chouteau	Harlem
*Fairbanks, Charles E.	Rep	Sanders	Plains
Glidden, Samuel	Dem	Carbon	Bridger
Harper, W. W.	Rep	Deer Lodge	Anaconda
*Haviland, W. H.	Dem	Silver Bow	Butte
*Long, T. D.	Dem	Flathead	Kalispell
Martien, Charles	Dem	Lewis and Clark	Helena
*Metcalf, George	Rep	Granite	Philipsburg
Miles, A. W.	Rep	Park	Livingston
*Muffly, C. S.	Dem	Broadwater	Winston
McCarthy, J. C.	Dem	Gallatin	Bozeman
McCone, George	Rep	Dawson	Glendive
McDonnell, Charles	Rep	Sweet Grass	Melville
McLean, Kenneth	Rep	Custer	Miles City
*Rae, H. M.	Rep	Fergus	Gilt Edge
*Romney, Miles	Dem	Ravalli	Hamilton
*Sanders, James	Rep	Cascade	Great Falls
Tooley, Clarence	Rep	Meagher	Two Dot
*Truscott, J. L.	Dem	Valley	Glasgow
White, B. F.	Rep	Beaverhead	Dillon

* Holdovers, Elected 1906.

H. K. HOWRY, Secretary.

HOUSE OF REPRESENTATIVES.

NAME.	Politics	County	Postoffice Address
Allen, W. R.	Rep.	Deer Lodge	Anaconda
Barbour, G. H.	Rep.	Lewis and Clark	Helena
Beckwith, A.	Rep.	Ravalli	Hamilton
Bennet, A. J.	Rep.	Madison	Virginia City
Bennetts, T. J.	Rep.	Silver Bow	Centerville
Blake, H. N.	Rep.	Deer Lodge	Anaconda
Blewett, John	Dem.	Carbon	Fromberg
Boorman, B. J.	Rep.	Flathead	Kalispell
Brewster, G. W.	Rep.	Rosebud	Birney
Brownlee, Robert	Rep.	Sweet Grass	Melville
Burke, Ed.	Dem.	Deer Lodge	Anaconda
Cambell, Don	Rep.	Silver Bow	Butte
Cameron, A. A	Rep.	Gallatin	Bozeman
Cato, O. C.	Dem.	Custer	Miles City
Corby, J.	Rep.	Silver Bow	Butte
Cluston, William	Dem.	Cascade	Great Falls
Cummings, T. A	Rep	Chouteau	Fort Benton
Cutler, J.	Rep.	Silver Bow	Butte
Decker, Alf.	Rep.	Beaverhead	Red Rock
Duncan, M. M.	Rep.	Madison	Virginia City
English, G. B.	Rep.	Deer Lodge	Anaconda
Farmer, J. H.	Rep.	Lewis and Clark	Helena
Fisher, R. F.	Dem.	Deer Lodge	Anaconda
Gerber, P. H.	Rep.	Missoula	Missoula
Goff, O. S.	Rep.	Chouteau	Havre
Greene, A. C.	Rep.	Fergus	Greene
Gray, A. H	Rep.	Cascade	Great Falls
Griffin, P. H.	Rep.	Powell	Sunset
Harbordt, Eugene	Rep.	Cascade	Great Falls
Hardin, G. W.	Rep.	Meagher	White Sulphur Springs
Hess, Gus H.	Rep.	Silver Bow	Butte
Hyndman, A.	Rep.	Madison	Sheridan
King, E. W.	Rep.	Gallatin	Bozeman
Kirwan, E. D.	Dem.	Cascade	Great Falls
Kroger, Walter W.	Rep.	Granite	Philipsburg
Leighton, I. A.	Rep.	Jefferson	Boulder
Logan, E. A.	Rep.	Flathead	Whitefish
Longstaff, F.	Dem.	Deer Lodge	Anaconda
Manchester, P. H.	Rep.	Silver Bow	Butte
Marshall, T. C.	Rep.	Missoula	Missoula
Maxwell, D. C.	Rep.	Dawson	Glendive
Miles, C. A.	Dem.	Ravalli	Hamilton
Miller, C. B.	Rep.	Lewis and Clark	Helena
Miller, H. J.	Rep.	Park	Livingston
Moore, W. E.	Rep.	Granite	Philipsburg
Morgan, F C	Rep.	Missoula	Missoula
Morris, A. A	Rep.	Yellowstone	Billings
McDonald, G. C.	Rep.	Silver Bow	Butte
McManus, J. F.	Rep.	Silver Bow	Butte
Macaulay, A.	Rep.	Silver Bow	Butte
O'Connor, J. E.	Dem.	Broadwater	Canton
Patten, T. M.	Rep.	Valley	Glasgow
Potter, S. L.	Rep.	Teton	Shelby
Powers, R. E.	Dem.	Silver Bow	Butte
Root, Moses	Rep.	Lewis and Clark	Canyon Creek
Ross, S.	Rep.	Missoula	Missoula
Scallon, William	Rep.	Silver Bow	Butte
Seidler, Henry	Rep.	Cascade	Great Falls
Selway, E. O.	Rep.	Beaverhead	Dillon
Shaw, Leon	Rep.	Lewis and Clark	Helena
Sherman, J. J.	Dem.	Meagher	White Sulphur Springs
Swindlehurst, T. M.	Dem.	Park	Livingston
Thompson, E. J.	Rep	Sanders	Heron
Thompson, Rufus	Rep.	Fergus	Lewistown
Towers, C. B.	Rep.	Custer	Miles City
Tudor, W. A.	Rep.	Gallatin	Bozeman
Walker, L. A.	Rep.	Silver Bow	Butte
Warren, F. R.	Dem.	Jefferson	Whitehall
Weed, E. D.	Rep.	Lewis and Clark	Helena
Wendel, John	Rep.	Lewis and Clark	Helena
Whiteside, Fred	Dem.	Flathead	Kalispell
Wilder, C. A.	Dem.	Broadwater	Townsend
Wilham, V. E.	Dem.	Jefferson	Clancy

NATHAN GODFREY, Chief Clerk.

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71	A Bill for an Act appropriating money for the payment of certain deficiency claims in connection with the State Auditor's office.....	92, 93, 101, 106, 107, 131.
72	A Bill for an Act appropriating money for the payment of certain deficiency claims in connection with the State Examiner's office.....	92, 93, 102, 106, 107, 131.
73	A Bill for an Act entitled, "An Act to provide for the filing of transcripts of judgments from the Circuit and District Courts of the United States Ninth Circuit District of Montana, with the District Court Clerk of any county in this state, and when so filed such judgment to become a lien upon all real property of the judgment debtor not exempt from execution in such county, owned by him at the time.".....	148, 149, 174, 180, 196.
74	A Bill for an Act entitled, "An Act to authorize the erection and equipment of a building at the Montana Agricultural College and Experiment Station at Bozeman, Montana, for the use of the Departments of Agriculture, Horticulture, Animal Husbandry, Veterinary, and Domestic Science, and making an appropriation therefor."	161, 200, 202, 282, 314, 323, 325, 344.
78	A Bill for an Act entitled, "An Act to authorize, empower and direct the Board of Trustees of the Montana State Reform School at Miles City, Montana, to finish and complete the construction and furnishing of the Girls' building at said Montana State Reform School; also to authorize, empower and direct the construction and furnishing of a hospital building at said Reform School and to appropriate money for all of said purposes."	224, 225, 281, 294, 295, 327.
79	A Bill for an Act entitled, "An Act to amend Sections 1990 and 3280 of the Political Code, relating to Arbor Day."	148, 149, 153, 160, 161.
80	A Bill for an Act entitled, An Act to amend Sections 9 and 10 of Article II, Sections 14, 17, 18 and 25 of Article II, Sections 29, 30 and 32 of Article IV, Section 35 of Article VI, Sections 44, 47, 48 and 50 of Article VII, Section 52 of Article VIII, and Section 62 of Article IX, and to repeal Section 8 of Article II, and Section 53 of Article VII of Chapter 44 of the Session Laws of 1903, approved March 2, 1903, and to repeal Sections 1, 2, 3, 4, and 5 of Chapter 76 of the Session Laws of 1905, approved March 3, 1905.....	267, 272, 297, 300.
81	A Bill for an Act entitled, "An Act to empower the City Council, or Corporate Authorities of any City, Town or Village, to regulate the rates and charges to be allowed corporations, or individuals for furnishing water, gas, or electricity to any such city, town or village, or	

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82	A Bill for an Act to amend Sections 2505 and 2506 of the Civil Code of the State of Montana, relating to Inn Keepers.	148, 149, 174, 180, 198, 205, 206, 268, 305.
84	A Bill for an Act to amend Section 313 of the Political Code relating to the distribution of public reports.	130, 132, 159, 161.
85	A Bill for an Act entitled "An Act making appropriations for the Montana State Fair and for permanent improvements on the grounds thereof for the fiscal years ending November 30th, 1907, and November 30th, 1908."	320, 327, 343, 352, 368, 370, 371, 382.
88	A Bill for an Act entitled, "An Act providing for the registration of electors, in counties, cities and towns, and for penalties for the violation thereof."	347, 348, 405.
89	A Bill for an Act entitled "An Act to amend Chapter VI, Title XIII, of the Penal Code of the State of Montana, relating to Extortion by adding thereto a Section to be designated as Section 924 so as to prevent the denial of indebtedness for labor, or wilful refusal to pay such indebtedness with intent to secure a discount from the laborer.	148, 149, 254, 264, 274, 279, 293, 377, 392, 393, 394, 397, 425.
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93	An Act appropriating money for the payment of the claims of certain persons for services rendered and supplies furnished in maintenance of the Capitol Building.	116, 121, 137, 142, 143, 166.
94	An Act appropriating money for the payment of deficiency claims for expense of Attorney General.	116, 121, 137, 142, 144, 166.
95	An Act appropriating money for the payment of claims of certain persons for services rendered and supplies furnished the State Board of Horticulture.	116, 121, 154, 161, 162.
96	A Bill for an Act entitled "An Act to amend Sections One, Two, Three, Four and Five of an Act of the Eighth Legislative Assembly, entitled, "An Act to appoint the Entomologist of the Experiment Station State Entomologist, and appropriate money to pay his traveling expenses."	267, 269, 316, 327, 332.
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101	A Bill for an Act to establish a Geological Survey of Montana and to make appropriation therefor.....	336, 338, 376.
102	A Bill for an Act entitled, "An Act appropriating money for the payment of the expenses of Dr. H. J. Ricketts while investigating the cause and cure of Spotted Fever."	148, 149, 184, 193, 195, 215.
104	A Bill for an Act to amend Section 4870 of the Political Code of the State of Montana as amended by House Bill No. 213, entitled "An Act to amend Sections 4867, 4868, 4869, 4870, 4871, 4872, 4873, 4874, 4875, 4876 and 4877 of the Political Code of the State of Montana, relating to taxation in municipal corporations," approved March 3, 1897.....	130, 132, 145, 160, 198, 204, 205, 240.
107	A Bill for an Act entitled, "An Act providing for filing amended certificates of incorporation, and other certificates relating to corporation.....	148, 149, 158.
109	A Bill for an Act appropriating money for the deficiency claim of certain persons for supplies furnished account Farmers Institute.....	104, 105, 123, 133, 135, 152.
110	A Bill for an Act appropriating money for the payment of the claim of Board of Charities and Reform for expenses incurred.....	110, 123, 133, 135, 152, 344.
111	A Bill for an Act appropriating money for the payment of certain deficiency claims in connection with the Adjutant General's office.....	110, 111, 123, 133, 135, 152.
112	A Bill for an Act appropriating money for the payment of certain deficiency claims in connection with the State Treasurer's office.....	110, 111, 122, 133, 135, 152.
113	A Bill for an Act appropriating money for the payment of deficiency claims of the Bureau of Child and Animal Protection for expenses incurred.....	116, 121, 137, 142, 144, 166.
114	An Act to appropriate money for the purpose of assisting in the erection of a monument within the State Capitol Building at Helena, Montana, to perpetuate the memory of the late Wilbur F. Sanders, and for the appointment of a Commission to assist in the erection of such monument.....	336, 338.
115	A Bill for an Act entitled "An Act for the better protection of employees and for preventing superintendents, foremen, assistant bosses, or any other person from receiving or soliciting any sum of money or other valuable consideration, for, or on account of employing or continuing to employ any person, or promising or agreeing to do so, and providing penalties for violations of	

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116	A Bill for an Act entitled, "An Act to regulate the size and manner of constructing of caboose cars used by any person, corporation or company within the State of Montana, and providing a penalty for the violation thereof.	222, 226, 253, 264, 274, 275, 305.
120	A Bill for an Act entitled: "An Act regarding pool rooms, pool selling and registering of bets, and to punish the keeping of pool rooms, bookmaking and pool selling, and recording of bets by unlicensed persons; to provide for the issuance of licenses therefor, and to dispose of the funds arising from such licenses; and to provide civil and criminal liabilities and penalties for the violation of its provisions and civil actions for the recovery of money lost on any pool or bet sold or registered contrary to this act and repealing and prohibiting ordinances on the subject and repealing Acts in conflict herewith."	223, 226, 282, 403, 436.
121	A Bill for an Act to amend Section 666, Title IV, Chapter I, Political Code, relating to the filing of annual statements of certain corporations	269, 284, 296, 307, 308, 310, 344.
122	A Bill for an Act entitled, "An Act to provide for the payment of the actual expenses of County Assessors incurred in the performance of official duties."	224, 225, 229, 240, 247, 249.
123	A Bill for an Act defining the Status of Persons soliciting Life Insurance	214, 215, 217, 230, 240, 247, 249, 264.
126	A Bill for an Act appropriating money for the payment of certain deficiency claims account State Game & Fish Warden.	149, 184, 193, 196, 215.
127	A Bill for an Act making appropriations for the State Institutions of Montana for the three months ending February 28, 1907	148, 156, 184, 193, 196, 215.
128	A Bill for an Act entitled, "An Act prohibiting the employment of children in certain occupations under the age of sixteen years; providing for the registration of the age of all children; the issuance of an age certificate and the disposition of the same; forbidding the employment of children in certain occupations without such certificate; providing for the enforcement of the provisions of this Act and providing penalties for the violation of the provisions thereof	148, 267, 270, 297, 323, 324, 367.
129	A Bill for an Act to amend Section 1840 of the Political Code of Montana as amended by an Act approved March 5, 1903, relating to the qualifications of teachers.	170, 172, 182, 193, 195, 224, 226.
130	A Bill for an Act making appropriations for the Executive and Judiciary Departments of the State Govern-	

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131	A Bill for an Act entitled, "An Act requiring all mortgages, bonds, for deeds, deeds of trust, contracts for the sale or purchase of property and assignments, to show the true name and residence of the parties thereto, and in case such parties are non-residents requiring certain affidavits to be made a part thereof, and fixing penalties for making false statements therein.".	267, 270, 290.
132	A Bill for an Act to prohibit misrepresentation by Life Insurance Companies.....	150, 214, 217, 239, 240, 247, 249, 264.
133	A Bill providing for the payment of deficiency claims in certain State Offices.....	148, 185, 193, 196.
134	A Bill for an Act to allow traveling expenses of County Superintendents of Schools.....	148, 150, 208, 219, 220, 227, 245.
140	A Bill for an Act to create a State Text Book Commission for the purpose of adopting and maintaining a uniform series of text books for the Public Schools of Montana; to regulate the price of same; define the duties and powers of the said Commission and appropriating a sum of money named therein for the expenses of said Commission.....	267, 271, 306, 314, 323, 324, 367.
144	A Bill for an Act entitled, "An Act to amend Section 2942 of the Political Code relating to the publication of marks and brands, to provide for the auditing of the books of the Stock Association, and to provide for the disposition of any interest accruing on the estray fund.	150, 336, 338, 367.
145	A Bill for an Act entitled "An Act to authorize the State of Montana to become indebted in excess of One Hundred Thousand Dollars, and to provide for the issuance of bonds in the name of the State for the redemption of bonds heretofore executed and issued by the State Board of Land Commissioners for the use and benefit of various state educational institutions; and also, to make whole the permanent funds of the various state educational institutions.".....	200, 202, 257, 264, 274, 275, 293.
146	A Bill for an Act to prohibit discrimination by Life Insurance companies and providing penalties for violation thereof.	267, 272, 284, 296, 307, 308, 310, 344.
148	A Bill for an Act entitled An Act to establish a State Bureau of Vital Statistics, placing the same under the supervision of the Secretary of the State Board of Health and describing the duties of the subordinate officers of the State Board of Health relative thereto, and fully providing for the registration of births and deaths and other statistical matter relative to sanitary affairs and providing for sub registrars and providing for the payment therefor.....	188, 191, 198, 204, 205, 240, 314.
151	A Bill for an Act providing regulations for saloons, and	

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153	A Bill for an Act to amend Section 603 of the Political Code of the State of Montana, relating to the refusal to grant certificates to practice medicine and surgery by the State Board of Medical Examiners, providing for the revocation of such certificates, and prescribing the procedure on appeal from the action of the State Board of Medical Examiners.....	267, 271, 314, 323, 324, 367.
154	A Bill for an Act appropriating money for the payment of deficiency claims of certain persons for services rendered and material furnished the State Veterinarian.	148, 184, 193, 195.
156	A Bill for an Act entitled: "An Act to amend Sections 4597 and 4602 of the Political Code of the State of Montana as amended by an Act entitled: "An Act to amend Sections 4597 and 4602 of the Political Code of the State of Montana, relating to the number of deputies allowed county officers" approved March 3, 1905. and as amended by an Act entitled "An Act relating to the number of deputies allowed County Auditors in counties of the First Class, and fixing the compensation of same," approved March 4, 1905, and as amended by an Act entitled "An Act relating to number of assistants allowed the Clerk of the District Court in Counties of the First Class, and fixing the compensation allowed to said deputies and assistants in Counties of the First Class" approved March 4, 1905, and as amended by an Act entitled "An Act fixing the maximum number of Deputy Sheriffs in counties of the First Class and the maximum annual compensation thereof" approved March 4, 1905, and as amended by an Act entitled "An Act relative to number of assistants allowed Treasurers in Counties of the First Class, and fixing the compensation allowed to said Deputies and Assistants in Counties of the first Class" approved March 4, 1905, and to repeal an Act entitled "An Act to amend Sections 3 and 4, of an Act entitled "An Act concerning the compensation of County District and Township officers; approved March 6, 1891," approved March 2, 1893, and to repeal an Act entitled "An Act to amend an Act entitled "An Act concerning the compensation of County District and Township officers;" approved March 9, 1893.".....	300, 305, 365, 374, 376, 378, 384.
157	A Bill for an Act entitled: "An Act to amend Section 4596 of the Political Code of the State of Montana, relating to the annual compensation allowed Deputies or assistants to County Officers, as amended by an Act	

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	entitled: "An Act relating to the number of deputies allowed county auditors in counties of the first class and fixing the compensation of same," approved March 4th, 1905, and as amended by an Act entitled: "An Act relating to number of assistants allowed the clerk of the district court in counties of the First Class, and fixing the compensation allowed to said deputies and assistants in counties of the First Class," approved March 4, 1905, and as amended by an Act entitled: "An Act fixing the maximum number of Deputy Sheriffs in counties of the First Class, and the maximum annual compensation thereof," approved March 4, 1905, and as amended by an Act entitled "An Act relative to the number of Assistants allowed Treasurers in counties of the First Class, and fixing the compensation allowed to said deputies and assistants in counties of the First Class," approved March 4, 1905; and to repeal an Act entitled: "An Act to amend Sections 3 and 4 of an Act entitled: "An Act concerning the compensation of County, District and Township officers," approved March 6, 1891, approved March 2, 1893, and to repeal an Act entitled "An Act to amend an Act entitled: "An Act concerning the compensation of County, District and Township Officers," approved March 9, 1893."	259, 261, 290, 296, 307, 308, 365, 374, 378, 382.
158	A Bill for an Act entitled "An Act appropriating money for the erection and completion of a Library building for the University of Montana at Missoula, Montana; for enlarging the heating plant and connecting the same with the Library building and for cement walks necessary to connect said Library with other buildings at said University Grounds, and with the street, and for certain improvements on University grounds."	236, 238, 287, 314, 323, 325, 367.
159	A Bill for an Act entitled "An Act to amend Section 3162 of the Code of Civil Procedure as the same was amended by an Act of the Fifth Legislative Assembly of the State of Montana approved February 19th, 1897, relating to witnesses."	214, 217, 230, 264, 274, 275, 293.
160	A Bill for an Act to amend an Act providing for the payment of the indebtedness and expense hereafter incurred by cities, the indebtedness of which exceeds the limit provided in Section 6, Article XIII of the Constitution of the State of Montana, and further providing for the levy and collection of taxes for such purpose." Approved February 24th, 1903	317, 318, 343, 351, 352, 382.
161	A Bill for an Act to amend Section 66 of the Code of Civil Procedure of the State of Montana respecting the civil jurisdiction of Justices of the Peace	188, 190, 231, 245, 268, 288, 296, 307, 308, 310, 344.
162	A Bill for an Act entitled, "An Act appropriating money for the payment of the claims of certain persons against the State of Montana from losses arising from	

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164	A Bill for an Act entitled "An Act to amend Section 842 of the Penal Code of the State of Montana.....	200, 202, 232, 240, 247, 250, 264.
165	A Bill for an Act entitled "An Act to amend Article II, Chapter IV, Part III, Title III, of the Political Code relating to the duties of the County Superintendent of Schools; adding a section to be known as Section 1745, regarding the School Census, and providing penalties for the violation of the provisions thereof."....	170, 172, 183, 193, 195, 215.
166	A Bill for an Act entitled: "An Act regulating the sale of merchandise in bulk and making provisions for the protection of the creditors of the vendor.....	267, 272, 297, 382, 386, 391, 427.
167	A Bill for an Act to add a Section to the Code of Civil Procedure of Montana, to be known as Section 644, and to provide a time within which Summons and other Process and Orders must be filed after service.....	200, 203, 230, 240, 247, 250, 264.
168	A Bill for an Act entitled "An Act to amend Paragraph Three of Section 1830, Chapter VI, Article VI, Part III, of Title III, of the Political Code of the State of Montana, as amended by an Act of the Legislature approved March 14, 1901, relating to the taking of the School Census....	267, 270, 306, 314, 323, 324, 367.
169	A Bill for an Act entitled "An Act to amend Part III, Title VII, of the Code of Civil Procedure by adding thereto sections 2234 and 2235 relating to the taking of land for temporary banking grounds or for temporary logging roads. Requiring that the length of time for which such lands are taken and the dates shall be fixed by the Commission or Court and that after the expiration of such time the said lands shall revert to the party from whom the same were taken. Requiring that all damages fixed shall be paid in advance. Requiring that any lessee of such lands be made party to any such action and empowering the Court to apportion any compensation to be received, between the various parties in interest."....	178, 232, 265, 274, 276, 293.
170	A Bill for an Act entitled "An Act to authorize and direct the Executive Board of the Montana Agricultural College to establish a sub-station for the purpose of carrying on experiments in horticulture and to appropriate money therefor."....	372, 373, 388, 399, 404, 411, 425.
172	A Bill for an Act appropriating money for the payment of deficiency claims in connection with the Meat and Milk Inspector's office....	148, 150, 183, 193, 195, 240.
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	erinarian's office for clerical hire.....	148, 150, 184, 193, 195, 215.
174	A Bill for an Act entitled "An Act providing for the redemption and payment of county School District, City and Town Bonds held by the State, before maturity thereof."	214, 159, 230, 240, 247, 250, 264.
176	A Bill for an Act to amend Section 4648 of the Political Code of Montana, relating to the fees and mileage of witnesses.	267, 273, 290.
178	A Bill for an Act "To provide for the payment of the actual necessary expenses of Judges of the District Court when holding court in his district in any county not the county residence of such judge.".....	224, 225, 231.
179	A Bill for an Act entitled, "An Act prescribing regulations for opening, operating, platting, general conduct and management of Coal Mines and Coal Mining, prescribing penalties, and repealing Article I, Chapter XX, Part III, Title VII, (Sections 3350 to 3365 inclusive), of the Political Code of Montana, relating to the regulation of Coal Mines.".....	321, 383.
181	A Bill for an Act to amend Section 2391 of Chapter III, Article I, Part III, Title V, Political Code of Montana, to repeal Section 2396 of said Chapter relating to the librarians and their salaries, and to add a certain new section to said Chapter III, to be designated as Section 2401, relating to assistant librarians and their salaries.	267, 273, 289, 296, 307, 308, 310, 344.
182	A Bill for an Act, entitled "An Act to establish a State Board of Health, subordinate County, City and Town Boards of Health, defining the powers and duties of each, providing for the compensation of the officers and members of each, providing for the enforcement of the rules and regulations and laws relating to said Boards, and to repeal an Act entitled "An Act creating a State Board of Health, defining its powers and duties and providing for the compensation of its officers and providing for the enforcement of the rules and regulations of said Board." Approved March 15th, 1901.".....	200, 202, 290, 307, 308, 312, 382.
183	A Bill for an Act approving bounty claims of Stockmen's National Bank, of Fort Benton, Montana, and providing for payment thereof.....	267, 270, 286, 356, 360, 363, 382.
185	A Bill for an Act regarding gambling and to prohibit certain games, and the possession or use of certain implements and appliances and the using or leasing of any premises for gambling purposes, to provide for the enforcement of this act, and to provide civil and criminal liabilities and penalties for violations of its provisions and civil actions for the recovery of money lost at any of the games herein prohibited, and to repeal and prohibit City and Town ordinances on the subject, and to repeal the act approved March 15th, 1901, entitled: "An Act to prohibit gambling within the State of Mon-	

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	tana, to provide penalties for the violation of this Act, and repealing an Act of the Fifth Regular Session of the Legislative Assembly of Montana, approved March 4, 1897, and entitled An Act to prohibit gambling within the State of Montana, and to provide penalties for a violation of the provisions thereof and to provide for the enforcement thereof and to repeal all laws in conflict with this Act," and conflicting Acts.....	267, 273, 299, 327, 332, 339, 340, 382.
186	A Bill for an Act entitled "An Act to compel Street Railway Companies to protect certain of their employees from inclemencies of the weather, while performing services," and providing penalties for the violation of the same.....	267, 270, 284, 296, 307, 308, 310, 344.
188	A Bill for an Act creating a County Board of Educational Examiners, providing for their appointment, fixing their compensation and prescribing their qualifications and duties.....	214, 216, 253, 264, 274, 276, 293.
192	A Bill for an Act to amend Section 606 of the Political Code of the State of Montana, relating to the practice of medicine and surgery contrary to law, providing a penalty therefor, and defining what evidence shall be deemed sufficient to institute the practice of medicine and surgery.....	259, 261, 299, 314, 323, 325, 367.
194	A Bill for an Act, entitled "An Act appropriating money for the restoration and maintenance of Old Fort Benton and providing for the appointment of a Board of Trustees for the management thereof.....	317, 318, 405, 416, 417, 418, 421.
195	A Bill for an Act entitled an Act to amend Section 1000 of the Civil Code of the State of Montana, as amended by an Act of the Ninth Legislative Assembly of Montana, approved March 2nd, 1905.....	317, 318, 384, 392, 393, 394, 416, 417, 418, 422, 429.
196	A Bill for an Act to define trust and declaring a trust to be unlawful, against public policy and void; to provide criminal penalties for and civil damages, defenses and punishments against persons, corporations, firms, associations or persons connected with them violating any of the provisions of this Act; and to promote free competition in commerce and all classes of business in this State.....	318, 328, 367.
197	A Bill for an Act to provide for the publication of the certificate of the Auditor as to the authority of insurance companies to transact business, and for the publication of a condensed statement of their condition in addition thereto.....	223, 225, 230, 240, 247, 250, 264.
200	A Bill for an Act to amend Chapter 45 of the Laws of 1905, entitled "An Act to foster, develop, protect and promote the sheep industry of the State of Montana, and to appoint a Board of Sheep Commissioners, and appoint Inspectors and Deputy Inspectors, and to de-	

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	fine their duties and powers, and the duties and powers of the State Veterinary Surgeon in connection therewith," and to repeal an Act entitled: "An Act for the appointment of a Board of Sheep Commissioners, and to define their powers and duties," approved March 5, 1897, and Sections 3030 to 3046, inclusive, of the Political Code, covering the same subject, approved February 28, 1905, by amending Sections 3, 12, 15, 16, 17, 19, 24 and 27 to read as hereinafter set forth, and by adding thereto a section as number 32, relating to buck herds.".....	223, 225, 258, 264, 274, 314, 327, 332, 334, 382.
202	A Bill for an Act entitled, "An Act to provide for Farmers' Institutes and extension work in Agriculture" and to repeal an act entitled "An Act providing for Farmers' Institutes and making appropriation therefor, approved March 14th, 1901, and to repeal an Act entitled "An Act to amend an Act providing for Farmers' Institutes and making an appropriation therefor approved March 6th, 1903.....	267, 272, 315.
204	A Bill for an Act entitled "An Act to provide for the appointment of Boards of Examiners for applicants for certain positions in and about Coal Mines, prescribing their duties, and term of office, and providing for the salaries of such Boards.....	267, 273, 285, 306.
206	A Bill for an Act entitled: "An Act appropriating money for the payment of deficiency claims in maintenance of the Capitol Building.".....	188, 191, 231, 240, 247, 250, 264.
207	A Bill for an Act entitled: "An Act appropriating money for the payment of deficiency claims account of Supreme Court.".....	188, 191, 231, 240, 247, 250, 264.
208	A Bill for an Act entitled: "An Act appropriating money for the payment of deficiency claim in connection with the office of Attorney General.".....	236, 238, 257, 264, 274, 276, 293.
209	A Bill for an Act entitled: "An Act appropriating money for the payment of deficiency claims in connection with the Meat & Milk Inspectors office during 1905 and 1906.".....	203, 256.
210	A Bill for an Act entitled: "An Act appropriating money for the payment of deficiency claims of the State Encampment of 1905 of the National Guard of Montana."	200, 203, 230, 240, 247, 250, 264, 350.
212	A Bill for an Act entitled: "An Act to require an annual apportionment and accounting of surplus of Life Insurance Companies.".....	267, 270, 288, 296, 307, 308, 311, 244.
213	A Bill for an Act entitled: "An Act relating to the provisions of Life Insurance policies.".....	214, 217, 230, 240, 247, 251, 264.
217	A Bill for an Act entitled: "An Act to provide for the	

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	support of the Government of the State of Montana, for the years 1907 and 1908.”.....	200, 203, 230, 240, 247, 251, 264.
221	A Bill for an Act entitled: “An Act to add to Article 6, Chapter 3, Title 1, Part 3, of the Political Code, a Section to be numbered 428, providing for the cancellation by the State Auditor at the expiration of a specified period, of all warrants returned or uncalled for...	267, 273, 288, 296, 307, 308, 310, 344.
225	A Bill for an Act entitled: “An Act providing for the payment of certain expenses incurred by the Board of Stock Commissioners and the Board of Sheep Commissioners with relation to bounty fraud cases and bounty supplies from the Bounty Fund.”.....	267, 270, 285, 328.
226	A Bill for an Act to provide certain requirements of Life Insurance Companies organized in the State of Montana, and also relating to the admission of Life Insurance Companies organized in another State, and applying to transact business in this State.....	267, 269, 288, 296, 307, 308, 311.
227	A Bill for an Act to amend Section 411 of the Civil Code of Montana relating to the making and filing of Articles of Incorporation of domestic corporations....	336, 337, 344, 399, 411, 429.
228	A Bill for an Act entitled “An Act to amend Sections 132 and 134 of the Civil Code of the State of Montana and to amend Article II, of Chapter II, of Title I of Div. I of said Civil Code, by adding thereto a section to be numbered Section 147, which section 147 defines incompatibility of temper as cause for divorce.....	260, 262, 290, 309, 323, 324, 332, 343, 351, 353, 391.
230	A Bill for an Act entitled, “An Act to amend Section 3865 of the Civil Code of the State of Montana, relating to the period of time for which mortgages of personal property shall be valid; and to amend Section 3866 of the Civil Code of the State of Montana relating to the renewal of mortgages of personal property as amended by Chapter IV, Laws of 1903, approved March 4th, 1903, and as amended by an Act of the Legislative Assembly of the State of Montana, approved February 28, 1905.”.....	267, 273, 288, 296, 307, 308, 311, 344.
231	A Bill for an Act appropriating money for the Montana State School of Mines located at Butte, Montana, for the erection and equipment of a boiler plant and of a metallurgical plant for said school.....	236, 238, 315, 327, 332, 333, 360, 379, 382, 391.
232	A Bill for an Act to amend Section 1080 of the Code of Civil Procedure of Montana, and to repeal an Act approved February 15th, 1901, relating to the method of procedure in the trial of civil actions and review by the Supreme Court of errors in instructions.....	200, 202, 229, 240, 247, 251, 261, 264.
233	A Bill for an Act to amend Section 2070 of the Penal Code of Montana, and to repeal an act approved Feb-	

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	ruary 15th, 1901, relating to method of procedure in the trial of criminal actions.....	267, 270, 296, 307, 308, 311, 344.
234	A Bill for an Act relating to Bills of Exceptions and statements of the case, providing that the exceptions of the prevailing party shall be incorporated therein, and providing for review by the Supreme Court on appeal of such exceptions and the orders and rulings relating thereto.	200, 203, 229, 240, 247, 264.
235	A Bill for an Act to amend Section 1172 of the Code of Civil Procedure of Montana; to amend Section 1173 of the Code of Civil Procedure of Montana, as amended by an Act of the Ninth Legislative Assembly, entitled, "An Act to amend Sections 1152 and 1173 of the Code of Civil Procedure of Montana, approved March 4, 1905; and to amend Sections 1174 and 1176 of the Code of Civil Procedure of Montana, relating to practice on motions for a new trial.....	200, 203, 229, 240, 247, 251, 264, 374.
236	A Bill for an Act to amend Section 637 of the Code of Civil Procedure of the State of Montana, relating to publication of summons.....	214, 217, 229, 240, 247, 252, 264.
237	A Bill for an Act to amend Sections 1736, 1738 and 1739 of the Code of Civil Procedure of the State of Montana, relating to appeals to the Supreme Court....	200, 203, 239, 240, 247, 252, 264.
241	A Bill for an Act authorizing the appointment of a third assistant to the Attorney General, and authorizing the employment of an additional stenographer for the Attorney General's office.....	267, 269, 286, 296, 307, 308, 311, 344.
242	A Bill for an Act entitled "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 6, Article XVI, of the Constitution of the State of Montana relating to the terms of office of certain officers and making provisions regarding the terms of office of members of police and fire organizations or departments, and of executive and administrative commissions of municipal corporations and of school trustees.....	267, 271.
246	A Bill for an Act to repeal Section 4049 of the Political Code, and to enact in lieu thereof a Section to be numbered 4049 of the Political Code, providing for a lien on property used in any trade, occupation or business for which a license is required and for the seizure and sale of such property upon default in payment of such license.	267, 271, 296, 309, 367.
247	A Bill for an Act to provide for the admission of Mutual Hail, Cyclone and Tornado Insurance Companies or Associations organized under the laws of another state.	361, 364, 375, 428, 429, 430, 436.
249	A Bill for an Act to authorize and empower Foreign Corporations to exercise the right of eminent domain in	

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250	A Bill for an Act entitled: "An Act to amend an Act approved March 18, 1901, entitled, 'An Act creating the office of Inspector of Coal Mines, defining his duties and providing for his salary and providing penalties for the violation thereof,' creating the office of Coal Mine Inspector, and making the coal mine inspector ex officio the sealer of weights and measures of coal mines, and providing for his removal for cause, also providing for the payment of fees for inspecting coal mines and inspection of coal mine scales." Also defining the duties of said Coal Mine Inspector, providing for his salary and providing penalties for the violation thereof."	267, 272, 355, 374, 378, 379, 403.
251	A Bill for an Act entitled: "An Act to provide that the Board of County Commissioners of each County in the State, shall pass a resolution to be known as the "Annual Appropriation Resolution"; provide for a tax levy; to provide for each county officer to file with the said Board, an estimate of their annual expenses for the fiscal year; and to provide a county fiscal year.	317, 319, 399.
253	A Bill for an Act defining the crime of burglary with explosives and fixing the punishment therefor.	300, 305, 329, 343, 351, 352, 382.
255	A Bill for an Act to amend Section 353 of the Penal Code of the State of Montana, relating to verdict of juries in murder trials.	317, 320, 374, 428, 429, 431, 436.
256	An Act to amend Section 1 of an Act entitled "An Act to provide the conditions upon which foreign corporations may do business in this State and to repeal Sections 1030 to 1038 inclusive of the Civil Code of Montana," approved March 9, 1901; and to add sub-division 7 to said Section 1, providing for the filing of alterations and amendments to the Charter or Articles of Incorporation of foreign corporations and for the filing of certificates of increase of capital stock or continuance of corporate existence, and for the payment of fees therefor."	317, 319, 331, 343, 351, 399, 410, 412, 429, 436.
257	A Bill for an Act entitled, "An Act for the submitting to qualified electors of the State of Montana, an amendment to Article XII, of the Constitution of the State of Montana, relating to the revenue and taxation, and providing for an increase in the Tax Levy."	372, 402, 403, 414, 416, 417, 418, 421.
258	A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 27 of the Acts of the Ninth Legislative Assemly, being an Act to authorize cities and towns to create special improvement districts, and to levy special assessments upon the property of such districts, for the purpose of defraying the cost of construction or acquiring a system of water works, and laying extensions to	

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	water mains, approved February 21, 1905.".	317, 319, 351, 365, 382.
259	A Bill for an Act entitled "An Act to amend Chapter 50 of the Session Laws of the Year 1905 of the State of Montana, being an Act entitled "An Act prescribing the Hours of Labor which shall constitute a day's work on all works or undertakings carried on or aided by Municipal, County or State Government, and on all contracts let by them and in mills, and providing a penalty for the violation of the provisions of this Act," approved March 1st, 1905, and to provide further the number of hours labor which shall constitute a day's labor for the washing or reducing or the treating of coal.".	267, 272, 298, 343, 351, 352.
261	A Bill for an Act entitled: "An Act to amend Sections 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490 and 2491, Chapter Four, Part 2 of the Criminal Code of Montana relating to the examination of witnesses conditionally.".	273, 317, 318, 328, 343, 351, 353, 382.
264	A Bill for an Act entitled "An Act to amend Section 3780 of the Political Code, relating to County Boards of Equalization, and provide for their place of meeting."	395, 396, 399.
267	A Bill for an Act entitled "An Act providing for the establishment of Wash Houses at coal mines and providing penalties for the failure to comply with the same.	267, 343, 356, 360, 363, 403.
268	A Bill for an Act to amend Section 1900, and Section 1904 as amended by the Laws of 1897, Article 12, Chapter 6, Title 3, Part 3, of the Political Code of the State of Montana, relating to County Teachers' Institutes and to the means of raising funds to defray the expenses of such Institutes.	336, 338, 366, 392, 393, 394, 397, 425.
269	A Bill for an Act to amend Section 10, of Article 2, of Chapter 106, of the Laws of 1905, and providing when the fee of lands necessary to be taken for drains shall vest.	336, 337, 401, 416, 417, 418, 422, 429.
270	A Bill for an Act entitled, "An Act prohibiting the use of firearms by children under the age of fourteen years."	336, 337, 340, 343, 351, 353, 382.
271	A Bill for an Act entitled, An Act relating to banking, brokerage, exchange, loan and deposit business and amending Section 986 of the Penal Code of the State of Montana.	267, 271, 283, 296, 307, 308, 311, 344.
272	A Bill for an Act to provide for the appointment of a Commissioner to compile and revise the Codes and other laws of Montana, to provide for the publication of such Codes, to provide for the compensation of such Commissioner and to make an appropriation therefor..	267, 273, 289, 296, 307, 308, 312, 344.
276	A Bill for an Act entitled "An Act to amend Section 402, Article V, Chapter III, Part III, Title I of the Political	

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277	A Bill for an Act to amend Sections 1 and 8, of Article 5 of Chapter 106, of the Laws of 1905, and providing for the payment of interest on cost of constructing drains where payment is extended for more than one year.	267, 271, 287, 315, 323, 325, 367, 404.
279	A Bill for an Act entitled: "An Act providing for a commission for the promotion of uniformity of legislation in the United States, and for the payment of the necessary expenses of the members of such commission."	346, 347, 348, 376.
280	A Bill for an Act entitled: "An Act preventing the manufacture and sale of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines and liquors, and for regulating traffic therein, and providing for the administration and enforcement thereof, and for the creation of the office of State Chemist prescribing and defining his duties and fixing the salary and expenses of said office."	372, 406.
281	A Bill for an Act entitled: "An Act to regulate plumbing in cities in the State of Montana, providing for the licensing of persons to carry on the business and work of plumbing, creating a board of plumbing examiners, fixing the compensation of plumbing examiners and providing penalties for violation of the same."	300, 305, 366, 374, 378, 385, 392.
282	A Bill for an Act entitled: "An Act approving certain duplicate bounty certificates and appropriating money for the payment thereof."	317, 318, 344, 356, 360, 363, 382.
283	A Bill for an Act entitled: "An Act to amend Sections 2350, 2351 and 2352 of the Code of Civil Procedure of the State of Montana, relating to the probate of foreign wills."	368, 400.
285	A Bill for an Act entitled: "An Act to amend Section 4807 of the Political Code, relating to the contracts of Municipal Corporations."	276, 271, 276, 279, 293.
286	A Bill for an Act entitled: "An Act authorizing Board of County Commissioners in Counties of the first class to establish and maintain a Law Library and to provide for its care and maintenance."	347, 348, 365.
291	A Bill for an Act entitled "An Act to require Railroads, Telegraph and Express Companies doing business in the State of Montana to maintain telephones in its offices and to answer calls made over such telephone connection during business hours, and to provide a penalty for the violation of the provisions of this Act."	292, 293, 316, 382, 386, 391, 427.
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	ceedings before county boards of equalization, the duties of assessors in carrying out orders of the Board of Equalization, and providing for appeals to the District Court from the county boards of equalization and also to the Supreme Court from the District Court, and for the enforcement and carrying into effect of the orders of judgment of the court."	336, 338, 401.
293	A Bill for an Act entitled: "An Act to amend Sections 8 and 12 of Chapter 51 of the Laws of 1905, relating to the practice of Osteopathy contrary to law in the State of Montana, and providing a penalty therefor, and defining when evidence shall be deemed sufficient to constitute the practice of Osteopathy."	317, 319, 328, 343, 351, 353, 382.
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297	A Bill for an Act entitled: "An Act to amend Section IV of Chapter XXII, of the Laws of 1905, and for adding to said Act a Section to be numbered Section 6A, relative to Public Weighers and Public Scales."	269, 389.
298	A Bill for an Act entitled: "An Act embodying the law of sales of goods, and to make uniform the law relating thereto."	292, 293, 297.
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306	A Bill for an Act entitled "An Act to provide for the appointment of a State Board of Voting Machine Commissioners, defining their duties, powers and compensation thereof and providing rules and regulations for the use of voting machines in all counties, cities, towns and districts of the State of Montana."	317, 320, 366, 399, 404, 411, 436.
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315	A Bill for an Act entitled: "An Act to regulate the confiscation of Coal by railroads and common carriers and providing penalties for the violation of this Act."	306, 342, 343, 351, 354, 391.
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323	A Bill for an Act entitled: "An Act appropriating money for the payment of Deficiency Claims, account requisitions."	260, 262, 280, 281, 288, 294, 295, 327.
324	A Bill for an Act to establish a State Livestock Sanitary Board; to provide for the appointment of Special Deputy State Veterinary Surgeons; to define the duties and powers of said State Livestock Sanitary Board and the duties and powers of the State Veterinary Surgeon and Deputies Veterinary Surgeon with the State Livestock Sanitary Board; to provide for the eradication of disease in domestic animals, their quarantine and sanitary inspection; to amend Section 3016 of the Political Code relating to the Stock Indemnity Fund; and to provide penalties for the violation of this Act.	300, 304, 331, 343, 351, 354, 427.
325	A Bill for an Act entitled, "An Act regulating the sale and providing for the inspection of oils used for illuminating and heating purposes, and in automobiles, establishing a standard test therefor and prescribing penalties."	300, 306, 343, 351, 354, 391.
327	A Bill for an Act entitled: "An Act to promote the propagation of Fish and Game, and to provide for the appointment of County Game and Fish Commissioners."	372, 373.
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SENATE CHAMBER.

Helena, Montana, January 7th, 1907.

Pursuant to law at 12 o'clock noon Edwin C. Norris, Lieutenant-Governor of the State of Montana and President of the Senate called the Senators and the Senators-elect of the Tenth Legislative Assembly of the State of Montana to order.

The President appointed H. K. Howry Secretary pro tem of the Senate, and J. C. Farrington, Assistant Secretary pro tem of the Senate. Under the direction of the President the Secretary pro tem called the roll of the Senators and the following named Senators from the following named counties answered to their names:

Powell, Bielenberg; Carbon, Glidden; Deer Lodge, Harper; Lewis and Clark, Martien; Park, Miles; Gallatin, McCarthy; Dawson, McCone; Sweet Grass, McDonnell; Custer, McLean; Meagher, Tooley; Beaverhead, White.

Under direction of the President the Secretary pro tem then called over the following counties in their order from which members had been elected November 6, 1906; the following named Senators-elect from the said Counties presented certificates of election, which were received by the President and ordered filed:

Cascade, Sanders; Chouteau, Everett; Broadwater, Muffly; Fergus, Rae; Flathead, Long; Granite, Metcalf; Madison, Albright; Missoula, Donlan; Ravalli, Romney; Rosebud, Edwards; Sanders, Fairbanks; Silver Bow, Haviland; Valley, Truscott; Yellowstone, Annin.

The Senators from Jefferson and Teton Counties announced they were without certificate of election.

Hon. Theodore Brantley, Chief Justice of Montana, then administered to the Senators-elect the following oath of office:

I do solemnly swear (or affirm) that I will support, protect and defend the Constitution of the United States and the Constitution of the State of Montana, and that I will discharge the duties of my office with fidelity; and that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly any money, or other valuable thing to procure my nomination or election, except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this State or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or valuable thing for the performance or the non-performance of any act or duty

pertaining to my office other than the compensation allowed by law, SO HELP ME GOD.

J. E. EDWARDS.
CHARLES E. FAIRBANKS.
W. H. HAVILAND.
JOHN L. TRUSCOTT.
JOSEPH B. ANNIN.
MILES ROMNEY.
EDWARD DONLAN.
JACOB ALBRIGHT.
GEORGE METCALF.
THOMAS D. LONG.
HENRY M. RAE.
C. S. MUFFLY.
THOS. M. EVERETT.
JAMES SANDERS.
ED CARDWELL.
WM. COWGILL.

Subscribed and sworn to before me this 7th day of January, 1907.

THEODORE BRANTLEY,
Chief Justice of the Supreme Court of the State of Montana.

Whereupon the Senators-elect after subscribing their names to the above oath, assumed their seats.

The Secretary pro-tem then called the roll of the Senate and a quorum being present the President announced that the Senate of the Tenth Legislative Assembly was organized and ready for business.

Motion of White that the names of Cardwell and Cowgill be placed on the roll of the Senate carried.

Hon. Theodore Brantley, Chief Justice of the State of Montana, then administered to Senators Cardwell and Cowgill the following oath of office:

I do solemnly swear (or affirm) that I will support, protect and defend, the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office with fidelity; and that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election, except for necessary and proper expense expressly authorized by law, that I have not knowingly violated any election law of this State or procured it to be done by others in my behalf, that I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or the non-performance of any act or duty pertaining to my office other than the compensation allowed by law, SO HELP ME GOD.

ED CARDWELL.
WM. COWGILL.

Whereupon the Senators-elect, after subscribing their names to the above oath assumed their seats.

Prayer offered by Rev. J. F. McNamee.

The Senate proceeded to elect permanent officers and employees.

Miles then nominated the following list of officers and employees for the Senate:

President pro tem, B. F. White; Secretary, H. K. Howry; Assistant Secretary, J. C. Farrington; Sergeant at Arms, Comley Heaton; Asst. Sergeant at Arms, Fred H. Jones; Journal Clerk, Miss Nena L. Herring; Asst. Journal Clerk, Miss Rose Sheehy; Enrolling Clerk, Mrs. Alice M. Zeiter; Engrossing Clerk, Miss Harriet Waldorf; Doorkeeper, T. H. Du Bois; Asst. Doorkeeper, J. C. McQuaig; Asst. Doorkeeper, D. A. Bishop; Committee Clerks, Miss Pearl Kane, Miss May Maloney, Miss Sadie McCarthy; Printing Committee, F. C. Pearson; Pages, Claude Larson, Chester Gareau; Chaplain, Rev. J. F. McNamee; Day Watchman, Hector Newman; Night Watchman, Wm. H. Bushnell; Bill Clerk, Mrs. Josephine Westcott; Postmaster, Samuel Hurtvitch.

Glidden nominated the following list for officers and employees for the Senate:

President pro tem, J. C. McCarthy; Secretary, Samuel Hilburn; Asst. Secretary, J. A. Wine; Sergeant at Arms, John E. Castillo; Asst. Sergeant at Arms, E. D. Coleman; Journal Clerk, Norma McDonald; Asst. Journal Clerk, E. W. Herman; Enrolling Clerk, Mrs. Grace Dyson; Engrossing Clerk, C. C. Corington; Committee Clerks, ————; Doorkeepers, Julian Burd, Jack Cain, John W. Fraser; Day Watchman, Charles Le Noir; Night Watchman, John King; Chaplain, Father Sullivan; Pages, Page Fisk, Hollis Johnston, Peter Dawson.

The President of the Senate announced that unless there was objection the respective lists of candidates would be voted for in their entirety.

The roll being called the list headed by White received the following votes:

Albright, Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley—18.

The roll being called the list headed by McCarthy received the following votes:

Cardwell, Glidden, Haviland, Long, Martien, Muffly, Romney, Truscott—8.

The list of nominees headed by White having received a majority of the votes cast the following were declared elected:

President pro tem, B. F. White; Secretary, H. K. Howry; Asst. Secretary, J. C. Farrington; Sergeant at Arms, Comley Heaton; Asst. Sergeant at Arms, Fred H. Jones; Journal Clerk, Miss Nena L. Herring; Asst. Journal Clerk, Miss Rose Sheehy; Enrolling Clerk, Mrs. Alice M. Zeiter; Engrossing Clerk, Miss Harriet Waldorf; Doorkeeper, T. H. DuBois; Asst. Doorkeeper, J. C. McQuaig; Asst. Doorkeeper, D. A. Bishop; Committee Clerks, Miss Pearl Kane, Miss May Maloney, Miss Sadie McCarthy; Printing Committee, F. C. Pearson; Pages, Claude Larson, Chester Gareau; Chaplain, Rev. J. F. McNamee; Day Watchman, Hector Newman; Night Watchman, Wm. H. Bushnell; Bill Clerk, Josephine Wescott; Postmaster, Samuel Hurtvich.

A motion by Donlan that Brownie (Frank) Burke, be added to the list of Senate Pages, was carried unanimously.

Everett offered the following resolution: RESOLVED, that the rules of the Senate of the Eighth legislative assembly of the State of Montana be, and they are hereby, adopted as the rules of the present session, to be enforced until the committee on rules shall have been appointed or elected and report, with the following changes, to-wit: Rule number twenty-one shall read as follows: "All committees of the Senate, special or standing, and all joint committees, on the part of the Senate, shall be selected by a committee of

three, to be elected by the Senate (unless otherwise ordered the selection so made by said committee, to be reported to the Senate, and be effective, only, when ratified by the Senate. A majority of the Senate may at any time change the membership of any committee upon one days notice thereof." Rule thirty-nine shall read as follows: In all cases not provided for in these rules, the proceedings of the Senate shall be governed by the law and practice as laid down in "Reed's Rules of Order."

On motion of Everett the foregoing resolution was adopted.

White offered the following resolution:

RESOLVED, that Senators McCone, Tooley and Donlan constitute a Committee of three provided for in Rule Number Twenty-One to select all standing and special committees of the Senate, such selections to be reported to the Senate for confirmation or rejection as provided for in said rule.

On motion of White the foregoing resolution was adopted.

On motion of White the President appointed a committee of three, consisting of Long, Tooley and Harper to notify the House that the Senate had been organized and was ready for business.

On motion of White the President appointed a committee of two consisting of White & Haviland to meet with a like committee from the House to notify the Governor that the Senate and House had been organized and were ready for business.

Recess until 1 P. M.

At 1 P. M. Senate reconvened.

Roll called, quorum present.

A Committee from the House appeared and notified the Senate that the House was organized and ready for business.

Committee appointed to notify the House of the organization of the Senate reported that such Committee had performed its duty, and on motion the report was received and Committee discharged.

The Committee appointed to select all standing and special Committees of the Senate reported as follows:

Mr. President:

Your Committee to select the standing Committees of the Senate beg leave to report as follows:

Committee on rules and Joint Rules, White, Miles and McCarthy.

Respectfully submitted,

McCONE.
TOOLEY.
DONLAN.

On motion the thanks of the Senate were extended to Chief Justice Brantley for appearing and swearing in the Senators-elect.

Recess for twenty minutes.

Senate reconvened.

Roll called, quorum present.

Sanders offered the following resolution:

RESOLVED, that a Committee of three be appointed by the Chair to confer with a like Committee of the House in the appointment of a Postmaster and an Assistant to serve the Tenth Legislative Assembly of the State of Montana.

On motion of Sanders the foregoing resolution was adopted, and the President appointed McLean, Rae and McCarthy as such Committee.

White of the Committee to wait on the Governor reported that such Committee had performed its duty, and that the Governor would communicate with the Senate at 2 P. M.

On motion the report was received and the Committee was discharged.

Adjourned until 1:45 P. M. to-morrow.

H. K. HOWRY,
Secretary.

SECOND DAY

Helena, Montana, Jan. 8th, 1907.

Senate convened at 1:45 P. M.

The President in the chair.

Roll called, quorum present.

Prayer by the Chaplain.

Journal read and approved.

The following communications from the House of Representatives were received and read:

House of Representatives, Helena, Montana, January 8th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body, that Representatives Bennett and Swindlehurst have been appointed as a Committee to meet with a like Committee from the Senate to notify the Governor that the House is organized and ready for business.

Respectfully,
NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the House has appointed a Committee of three, consisting of Representatives Blake, Miller, of Lewis and Clark and Thompson of Fergus to act with a like Committee from the Senate to arrange for a postmaster for both houses

Respectfully,
NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that, Miss Gertrude Pritchett, Assistant Journal Clerk; John G McIntire, Bill Clerk, and John T. Laws, as Chief Clerk's Stenographer, were elected to their respective positions.

Respectfully,
NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 7th, 1907.

Mr. President:

I am directed to inform your Honorable Body that, Representatives Ross,

Tudor, and Walker, were appointed to notify the Senate that the House was duly organized and ready for business.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body, that the following is a list of the officers elect of the House:

Speaker, pro tem, W. R. Allen; Chief Clerk, Nathan Godfrey; Assistant Chief Clerk, Charles G. Gibbs; Journal Clerk, H. H. Holloway; Sergeant-at-Arms, Thos. J. Chope; Assistant Sergeant-at-Arms, A. L. Robertson; Chaplain, Rev. A. D. Raleigh; Enrolling Clerk, Mrs. B. Higgins; Engrossing Clerk, A. Boussout; Doorkeeper, J. A. B. Carbis; Doorkeeper, S. D. Grim; Doorkeeper, Q. W. Lipschultz; Pages, William McEachren, Charles Mack, James Davies, Fred Bennett.

Respectfully,

NATHAN GODFREY, Chief Clerk.

On motion of Donlan the President appointed a committee of two consisting of Donlan and Martien, to confer with a like committee from the House in reference to a lunch room.

Recess for ten minutes.

Senate reconvened.

President in the chair.

Roll called.

Quorum present.

A committee from the House appeared in the Senate and invited the Senate to repair to the House and listen to the reading of the message of His Excellency the Governor, Jos. K. Toole, in joint assembly. The invitation was accepted and the Senate proceeded in a body to the House to listen to the reading of such message.

Senate reconvened.

Roll called.

Quorum present.

McLean, Chairman on Committee of Postoffice reported as follows:

Mr. President:

Your Special Committee appointed to confer with a like Committee from the House, to select a Postmaster and Assistant Postmaster, beg leave to report that the joint Committee have selected Samuel Hurtvitch as Postmaster and J. B. Loomis as Assistant Postmaster.

Respectfully submitted,

McLEAN, Chairman.

On motion of Donlan the report was adopted.

A communication from the Rocky Mountain Bell Telephone Company was read tendering the free use of its toll lines to all members of the Senate when called for from the house telephone or from any one of their public stations.

Helena, Montana, Jan. 8, 1907.

To the Honorable Senate of the State of Montana,

Helena, Montana.

Gentlemen:

It is the desire of the Rocky Mountain Bell Telephone Company to extend

the free use of its toll lines to the members of your body, to points within the confines of the state. The service is granted from any of the public stations in the city, as well as those at the Capitol.

Respectfully,

H. L. BURDICK,
Superintendent Montana Division.

On motion of Miles the Senate accepted the courtesy and directed the Secretary to express the thanks of the Senate to the Company and H. L. Burdick, Supt. of the Montana Division.

Adjourned until 2 o'clock tomorrow afternoon.

H. K. HOWRY, Secretary.

THIRD DAY

Helena, Montana, January 9th, 1907.

Senate Convened at 2 o'clock P. M.

Roll Call.

Quorum present.

Journal read and approved.

Prayer by the Chaplain.

Senator Sanders excused from attendance this afternoon.

The following communication was received from the House:

House of Representatives, Helena, Montana, January 8th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the House has appointed Shaw, of Lewis and Clark County, Morgan of Missoula, and Wilder of Broadwater, as a committee to confer with a like committee of the Senate in the matter of a lunch counter.

Respectfully,

NATHAN GODFREY, Chief Clerk.

The following communication was received from the Public Librarian:

Helena, Montana, January 8th, 1907.

To the President of the Montana State Senate:

The Trustees of the Helena Public Library wish to extend to the members of the State Legislature, and to the families and members a cordial invitation to make free use of all the privileges of the Public Library during the Session of the Tenth Legislative Assembly.

Very respectfully,

MARGUERITE BOWDEN, Librarian.

The Secretary was instructed to thank the Librarian for courtesy extended.

White asked unanimous consent to suspend rules relating to the notice of introduction of bills.

Rae objected.

Thereupon White moved that the rules be suspended and he be permitted to introduce a bill without previous notice.

Motion carried, Rules suspended.

The following bill was introduced, read first and second times:

S. B. No. 1. An Act entitled "An Act appropriating money for the relief and benefit of the Montana State Normal College."

Referred to Committee on Public Buildings.

A special message from his Excellency, the Governor, relating to the financial condition of the State was received, read, and ordered filed.

On motion of White the Printing Committee was instructed to have printed Five Hundred copies of the Governor's Special Message on the financial condition of the State, for the use of the Senate.

Martien asked permission to return to the ninth Order of business, referring to Resolutions; there being no objection the following Resolution was offered by Martien:

Senate Concurrent Resolution No. 1. Be it Resolved, by the Senate, the House concurring that 2,500 copies of the Governor's Message to the Tenth Legislative Assembly, be printed. Of which 1,500 copies are for the use of the House, 750 copies for the use of the Senate, and 250 copies for the use of the State Officers.

On Motion of Martien the above resolution was adopted.

Committee on Restaurant reported as follows:

Senate Chamber, Helena, Montana, January 9th, 1907.

Mr. President:

Your select committee appointed by the Senate to act with a like Committee of the House beg leave to report that the joint Committee has arranged with Maurice Weiss, to open a lunch room in the boiler house on the Capitol grounds, and it is believed that the same will be properly conducted at reasonable rates.

DONLAN.
C. H. MARTIEN.

On motion of Tooley report was adopted and committee discharged.

Adjourned until 2 o'clock P. M. tomorrow.

H. K. HOWRY, Secretary.

FOURTH DAY

Helena, Montana, January 10th, 1907.

Senate convened at 2 o'clock P. M.

President in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Committee on Rules reported as follows:

Senate Chamber, Helena, Montana, January 10th, 1907.

Mr. President:

Your Committee on Rules having had the matter under consideration, beg leave to report and recommend that the following rules be adopted as the Rules of the Tenth Legislative Session of the Senate.

WHITE, Chairman.

RULES OF THE SENATE, TENTH LEGISLATIVE ASSEMBLY STATE OF MONTANA, 1907.

RULE I.

Hours of Meeting.—The hours of meeting of the Senate shall be ten (10) o'clock A. M. and two (2) o'clock P. M., unless otherwise specially ordered by vote of the Senate.

RULE II.

Call of Senate.—The President shall call the Senate to order at the stated hour, and after roll call and prayer by the Chaplain the Journal of the preceeding day shall be read, corrected and approved.

RULE III.

President Pro Tem.—The President Pro Tem shall, in the absence of the president take the chair and call the Senate to order at the hours of the meeting of the Senate and have the same powers of the President, but the President Pro Tem shall vote as any other member of the Senate. When the Senate is equally divided the Secretary shall take the decision of the President.

RULE IV.

Absentees.—No Senator shall absent himself from the service of the Senate without leave first obtained. A less number than a quorum of the Senate are hereby authorized to send the Sergeant-at-Arms, or any other person, for any or all absent Senators, as the majority of such Senators present shall agree, at the expense of such absent Senators, respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened shall judge sufficient, and this rule shall apply as well to the first meeting of the Senate, at the legal time of meeting, as to each day of the Session after the hour has arrived to which the Senate stood adjourned.

The President, or acting President, of the Senate, or if less than a quorum thereof shall have the power to issue process, directed to the Sergeant-at-Arms, or any other person, to compel the attendance of the Senators absent without leave. Any Senator who shall refuse to obey such process, unless sick and unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms or other person to whom such process may be directed, shall have the power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the assistance of any and all peace officers of the County, or of any County in the State.

RULE V.

Order of Business.—After the reading and approving of the Journal the order of business shall be as follows:

1. Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Messages from the House of Representatives.
6. Introduction of Bills.
7. First Reading of Bills.
8. Second Reading of Bills.
9. Motions, Resolutions and Notices.
10. Business on the General Files and Reading of Bills.

11. Unfinished Business of the Preceding Day.

12. Special Orders of the Day.

13. Reports of the Committees on Enrollment and Engrossment shall at all times be in order.

Provided, that Messages from the Governor, State Officers, and from the House of Representatives, may, on motion from any Senator, be considered at any time.

RULE VI.

Introduction of Bills.—All Bills and Resolutions, Reports and Papers when introduced, shall be indorsed with the name of the Senator or Committee presenting the same to the Senate with the date of introduction thereon. Every Bill shall be introduced by a Senator after a notice given, or by an order of the Senate, or on the report of a Committee, and shall be accompanied by a carbon or other copy thereof, and one days notice, at least, must be given of the introduction of a Bill, unless two-thirds of the members present shall vote to dispense with such notice, provided that where a bill is introduced by a Committee no such notice shall be required.

RULE VII.

Three Readings of Bills.—Every Bill, Memorial, or Joint Resolution requiring the signature of the Governor shall receive three several readings previous to its passage, and the President shall give notice at each reading whether it be the first, second, or third reading. But no such Bill, Memorial or Joint Resolution shall receive a second and third reading on the same day.

RULE VIII.

Commitments.—No Bill or Joint Resolution shall be Committed or Amended until it has been twice read. If objections are raised to the Bill on its first reading, the question shall be, "Shall the Bill be rejected?" If no objection be made, or the question to reject be lost, the Bill shall go to its second reading without further question.

RULE IX.

Bill or Memorial Requiring Three Readings.—On the Second reading every Bill or Memorial requiring three readings, shall be referred to the appropriate standing committee which shall be announced by the President, unless the Senate on motion, make a different order in relation thereto; and the Secretary of the Senate, shall take a dated receipt of the Chairman of each Committee for all bills delivered to such Committee.

RULE X.

Printing of Bills and Papers.—Three Hundred copies of every Bill, Memorial and Joint Resolution requiring three readings shall be printed after the second reading and report thereof from the appropriate Committee, in case such Committee, or a minority thereof, shall recommend the passage of the same. And in any event the Senate may order the printing of any Bill, Memorial, or Joint Resolution and all Bills, Memorials or Joint Resolutions that shall be printed must be returned by the Printing Committee within three days unless further time is granted by order of the Senate and Chairman of the Committee, and shall remain at least one day on the files after being printed before being considered. Provided, that under no circumstances shall the original Bill be placed in the hands of the printer, but a true copy there-

of shall be made under the direction of the Printing Committee, and forthwith by that Committee delivered to the Printer.

RULE XI.

Bills to be Read Twice at Length.—The first and third reading of every Bill, Resolution or Memorial shall be at length, unless the Senate by a two-thirds vote shall dispense with one reading at length. And in no case of Bills appropriating money shall the requirements of two readings at length be dispensed with without the unanimous consent of the Senators present.

The second reading of every Bill, Resolution, or Memorial shall be by its title.

RULE XII.

Engrossment of Bills.—The final question upon the second reading of every Bill or other paper, originating in the Senate, and requiring three readings previous to being passed shall be, "Shall it be engrossed and read a third time?" And upon every such Bill originating in the House of Representatives, "Shall it be ordered to a third reading?" And no amendments shall be received for discussion at the third reading of any Bill, but it shall at all times be in order before the final passage of such Bill, to move its recommitment under special instructions.

RULE XIII.

Question on Passage of Bills—Upon a third reading of a Senate Bill, the question shall be stated thus: "This Bill having been read three several times, the question is, 'Shall the Bill pass?'" Upon a third reading of the House Bills the question shall be stated thus: "This Bill having been read three several times, the question is, 'Shall the Bill be concurred in?'"

RULE XIV.

Bills, Amendments, and Resolutions Engrossed.—All Bills, Amendments and Resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined, compared and reported back by the Committee on engrossed Bills, the engrossed copy to be transmitted to the House of Representatives, with the proper endorsements, and the original retained by the Senate.

RULE XV.

General File.—All bills having received two readings and reported back by a Committee shall constitute the general file. Bills in the General File shall be arranged therein by the Secretary in the order in which they are reported, or referred thereto as aforesaid, and shall be considered in the same order unless the Senate shall direct otherwise.

RULE XVI.

Bill or Resolution Open to Amendment.—Substitutes may be offered at any time when a bill or resolution is open to amendment previous to engrossment, and when adopted, shall take the place of the original bill or resolution and shall be open to amendment.

RULE XVII.

Motion or Proposition on Subject Different.—No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

RULE XVIII.

Largest Sum and Longest Time.—In filling up blanks the largest sum or number and the longest time shall be put first.

RULE XIX.

Amendment to Constitution or Bill.—When an amendment to the Constitution, or any bill requiring the concurrence of two-thirds of the Senators is under consideration the concurrence of two-thirds shall not be required to decide any question for amendment or extending to the merits being short of the final question.

RULE XX.

Standing Committees—

1. Agriculture and Manufactures, to consist of 5 members.
2. Mileage, to consist of 3 members.
3. Corporations other than Municipal, to consist of 7 members.
4. Counties, Towns and Municipal Corporations, to consist of 7 members.
5. Education, to consist of 5 members.
6. Engrossed Bills, to consist of 3 members.
7. Enrolled Bills, to consist of 3 members.
8. Federal Relations, to consist of 5 members.
9. Finance and Claims, to consist of 7 members.
10. Judiciary, to consist of 7 members.
11. Military Affairs, to consist of 5 members.
12. Mines and Mining, to consist of 5 members.
13. Public Buildings, to consist of 7 members.
14. Public Lands, to consist of 5 members.
15. Public Morals, to consist of 3 members.
16. Printing, to consist of 3 members.
17. Roads, Highways and Bridges, to consist of 7 members.
18. Libraries, to consist of 3 members.
19. Irrigation and Water Rights, to consist of 7 members.
20. Fish and Game, to consist of 5 members.
21. Election and Privileges, to consist of 5 members.
22. Labor and Capital, to consist of 5 members.
23. Stockgrowing and Grazing, to consist of 7 members.
24. Immigration, to consist of 5 members.
25. Apportionment and Representation, to consist of 5 members.
26. Rules, to consist of 3 members.
27. Railroads and Transportation, to consist of 5 members.
28. Fairs and Expositions.

RULE XXI.

All Committees of the Senate, special or standing, and all Joint Committees on the part of the Senate shall be selected by a Committee of three to be elected by the Senate, (unless otherwise ordered the selection so made by said Committee to be reported to the Senate and be effective, only, when ratified by the Senate. A majority of the Senate may at any time change the membership of any Committee upon one day's notice thereof.

RULE XXII.

No Committee shall Elect Clerk.—No Committee standing or special shall elect a clerk without first obtaining the consent of the Senate.

RULE XXIII.

Order to Refer.—When a Resolution shall be offered or a motion made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

RULE XXIV.

Order of Precedence.—When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the Table.
4. To postpone to a certain day.
5. To Commit.
6. To amend.
7. To postpone indefinitely; provided, that a motion to lay an amendment on the table, if carried, shall not take with it the original motion.

RULE XXV.

Debatable Motions.—No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated. A motion may be withdrawn at any time before amendment.

RULE XXVI.

When a Reading of a Paper is Called For.—When the reading of a paper is called for (except petitions), and the same is objected to by any Senator, it shall be determined by a vote of the Senate, without debate. But this rule is not applicable to any bill, resolution, amendment, or other proposition which may be at any time directly under consideration.

RULE XXVII.

When a Senator Shall Speak.—Every Senator when he speaks, shall, standing in his place, address the President, and when he has finished he shall sit down. No Senator shall speak more than twice in any one debate on the same day and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of another who has not spoken.

RULE XXVIII.

Who Shall Speak.—When two or more Senators shall rise at once, the President shall name the Senator who is to speak first.

RULE XXIX.

When Called to Order.—When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in

order or not; and every question of order shall be decided by the President subject to an appeal to the Senate by any Senator. If the Senator be called to order for a word spoken, the exceptional language shall be immediately taken down in writing.

RULE XXX.

Previous Question.—The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division and its effect shall be to put an end to all debate and bring the Senate to a direct vote upon amendments reported by a Committee, if any, upon pending amendments and then upon the main question. On a motion for the previous question and prior to the seconding of the same, a call of the Senate shall be in order; but after a majority of the Senators have seconded such motion no call shall be in order prior to the decision of the main question. If the previous question is negatived, the Senate shall proceed in the same manner as if the motion had not been made.

RULE XXXI.

No debate on Motion for the Previous Question.—On a motion for the previous question, and under the previous question, there shall be no debate. And all incidental questions of order arising after a motiou is made for the previous question (or while acting under the previous question), shall be decided, whether on appeal or otherwise without debate.

RULE XXXII.

When Ayes and Noes Called for.—When the Ayes and Noes shall be called for by two members present, every member within the bar of the Senate at the time the question was put shall declare openly without debate his assent or dissent to the question. In taking the Ayes and Noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the Ayes and Noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted under any circumstances whatever to vote after the decision is announced from the chair.

RULE XXXIII.

Senator Absent Without Bar of Senate.—Whenever any Senator is Absent without the bar of the Senate when his name is called on the call of Ayes and Noes on any vote about to be taken, his vote shall not be received unless unanimously agreed to by the Senators present; nor shall a Senator be counted on a division of a vote who is absent without the bar of the Senate without leave.

RULE XXXIV.

Reconsideration.

I. When a motion has been made and carried or lost, it shall be in order for any member who voted with the prevailing side, on the same or succeeding day to move for the reconsideration thereof, and such motion shall take precedence of all other questions, except the consideration of a conference report, a motion to fix the day to which the Senate shall adjourn or take a recess, and shall not be withdrawn after the said succeeding day without the consent of the Senate, and thereafter any member may call it up for consideration provided that such motion if made during the last six days of the Session, shall be disposed of when made.

II. No bill, petition, memorial or resolution referred to a Committee or reported therefrom for printing and recommitment, shall be brought back into the Senate on a motion to reconsider; and all bills, petitions, memorials or resolutions reported from a Committee shall be accompanied by reports in writing which shall be entered in the Journal.

RULE XXXV.

No Report to be Made to the House.—If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not report the bill or resolution to the House of Representatives, until the resolution to reconsider is disposed of.

RULE XXXVI.

Titles of Bills to be Inserted in Journal.—The titles of Bills and such other parts thereof only as shall be affected by any proposed amendments, shall be inserted in the Journal.

RULE XXXVII.

Proceedings of Senate to be Entered in Journal.—The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered on the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings; but every vote of the Senate shall be entered on the Journal, and a brief statement of the contents of each petition, memorial or paper presented to the Senate shall also be inserted in the Journal.

RULE XXXVIII.

Rules of the Senate in Committee of the Whole.—The rules of the Senate shall be observed in the Committee of the Whole, as far as applicable, except limiting the number of times of speaking and except that the Ayes and Noes shall not be taken.

RULE XXXIX.

In all cases not provided for in these rules, the proceedings of the Senate shall be governed by the law and practice as laid down in "Reed's Rules of Order."

RULE XL.

Rules, When Can Be Changed.—No standing rule or order of the Senate shall be rescinded or changed without the concurrence of a majority of the Senate and one day's notice being given of the motion therefor, which motion shall embrace the proposed amendment; but a rule or order may be suspended temporarily by a vote of two-thirds of the Senators present, except Rules or Orders relating to the final passage of bills.

All proposed amendments on any proposed new rules shall be referred to the Committee on Rules without debate.

RULE XLI.

Rooms, Passages and Buildings of Senate Under Control of President.—The rooms, passages and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate; he shall see that all the officers of the Senate perform their respective duties and may assign places to reporters.

RULE XLII.

Disturbance or Disorderly Conduct in Lobbies.—In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Com-

mittee of the Whole Senate) shall have the power to order the same to be cleared.

RULE XLIII.

President's Right to Name Senator to the Chair.—The President shall have the right to name any Senator to perform the duties of the Chair, when the President pro tem is not present in the Senate Chamber, who is hereby vested during such time with all the powers of the President, but such Senator shall not lose the right of voting on any question while so presiding.

RULE XLIV.

Messengers Introduced.—Messengers may be introduced in any stage of business, except while a question is being put, where the Ayes and Noes are being called, or while the ballots are being counted.

RULE XLV.

Duty of Doorkeeper, Sergeant-at-Arms, and Assistant Sergeant-at-Arms in Preserving Order.—It shall be the duty of the doorkeeper to prohibit all persons except Senators, Ex-Senators, Members of the House of Representatives, State Officers, Officers of the two Houses, and such reporters as may have seats assigned them by the President, from coming within the bar of the Senate, unless invited by the President or a Senator, and it shall be the duty of the Sergeant-at-Arms or Assistant Sergeant-at-Arms to arrest for contempt all persons outside the bar or in gallery found engaged in loud conversation, or otherwise making a noise to the disturbance of the Senate.

RULE XVI.

Nominations From the Governor.—When nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be, unless the Senate shall by a majority vote otherwise direct, acted upon at once.

RULE XLVII.

Secret Session.—On a motion made and seconded to close the doors of the Senate on the discussion of any business, which may in the opinion of the Senate require secrecy, the Senate shall require all persons except the members, and Secretary of the Senate, to withdraw, and during the discussion of said motion the doors shall remain closed, and every member and officer of the Senate shall keep secret all such matters, proceedings and things, whereof secrecy shall be enjoined by order of the Senate.

RULE XLVIII.

Engrossing and Enrolling Bills.—All bills ordered engrossed shall be delivered to the Chairman of the Engrossing Committee by the Secretary of the Senate, and his dated receipt taken therefor, and he shall deliver the same to the Engrossing Clerk and take his dated receipt therefor and all said bills shall be engrossed in the order of their receipt by said Engrossing Clerk; and all Senate Bills shall, after their final passage by and receipt from the House, be delivered to the Chairman of the Enrolling Committee by the Secretary of the Senate in the order of their receipt from the House of Representatives and dated receipt of the Chairman of said Enrolling Committee taken therefor, and said Chairman shall deliver said bills to the Enrolling Clerk and take his dated receipt therefor; said bill shall be enrolled by the Enrolling Clerk in the order of their receipt from the Chairman of the Enrolling Committee.

RULE XLIX.

Privilege of Closing Debate.—The author of a bill, motion or resolution shall have the privilege of closing the debate unless the previous question has been sustained.

RULE L.

Time in Which all Committees Shall Report.—All Committees of the Senate shall report their action on all bills or matters to them within three days after reference unless at the request of the Committee, and on good cause shown further time be granted by the Senate.

On motion of White reading of Rules suspended except where changes were made. Motion carried.

Long offered the following amendment to the report of Committee on Rules:

I move to amend the report of the Committee on Rules by striking out the words "Reed's Rules of Order" in Rule XXXIX and inserting in place thereof the words "Cushing's Manual of Law and Practice."

Long moved its adoption. Motion lost.

There being no further objection the report of the Committee was adopted, and referred to Printing Committee with instructions to have 300 copies printed.

The following messages from the House of Representatives were received and read:

House of Representatives, Helena, Montana, January 8th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Notices of Bills have been presented to the house to-day:

By Shaw: A Bill creating a Railroad and Warehouse Commission.

By Tudor: A Bill to create a Railroad and Warehouse Commission.

By Allen: A Bill relating to Public Highways.

By O'Connor: A bill for an Act providing for the selection of Candidates for Elections by Popular vote and relating to Elections.

By O'Connor: A Bill for an Act to prevent the fraudulent sale of Maple Sugar and Cider Vinegar.

By Macauley: A Bill for an Act entitled "An act to create a Board of Police Commissioners in Cities having more than 25,000 inhabitants, defining their powers, and fixing the terms of office and compensation of the same.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 9th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the House has made an order for the printing of 1000 copies of the Governor's Message.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 9th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced and placed on file:

By Shaw and Tudor: H. B. No. 1.—A Bill for an Act entitled an Act to create and establish a Board of Railroad Commissioners for the State of Montana; providing for the appointment and election of the members thereof, and defining their powers and duties, and providing for the enforcement of the provisions of this act and penalties for the violation thereof.

By Miller of Park: H. B. No. 2.—A Bill for an Act to create the Thirteenth Judicial District of the State of Montana to be composed of the Counties of Yellowstone and Carbon, and providing for the election of a Judge thereof.

By O'Connor: H. B. No. 3.—A Bill for an Act to prevent the fraudulent sale of Maple Sugar and Cider Vinegar.

By O'Connor: H. B. No. 4.—An Act to prevent the adulteration and the sale of unwholesome foods and poisons.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 10th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Speaker announces the appointment of the following Committees:

Committee on Rules, Joint Rules and Order of Business: Bennett of Madison, Marshall of Missoula, Allen of Deer Lodge, and Swindlehurst of Park.

Committee on Segregation of Governor's Message (Special): Miller of Park, Boorman of Flathead, O'Connor of Broadwater, and Gray of Cascade.

Committee on House Employees (Standing): Miller of Lewis and Clark, Potter of Teton, Whiteside of Flathead, Tudor of Gallatin and Brownlee of Sweet Grass.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 10th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Representatives Scallon, Marshall, Gray, Miller of Park, Duncan, Moore, Swindlehurst and Maxwell have been appointed as standing Committee on Judiciary; also that Representatives Potter, Cameron, Cutler, Sherman and Miles have been appointed standing Committee on Mileage and Per Diem.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 10th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Notices of Bills have been presented to-day:

By Duncan: A Bill to amend Section 4 of an Act entitled "An Act to repeal Section 15-19-20-21-22 and 23 of an act entitled "An Act to repeal Sections 3100-3101-3102-3103-3104-3105-3106-3107-3108-3109-3110-3111-3112-3113- and 3114 of the Political Code of the State of Montana, and to provide for the appointment of a State Game and Fish Warden, Deputy Game and Fish Wardens, and Special Deputy Game and Fish Wardens, and defining their powers and duties, and providing for their compensation." Approved March 18th, 1901, and to provide for the licensing of resident and non-resident sports-

men and hunters, to fix prices on shipping permits, to furnish the State Game and Fish Warden with a Clerk, to classify packers as guides; to provide for disposition of moneys in the Fish and Game fund; to provide for the penalties for the violation of this act" which became a law without the Governor's Approval March 2nd, 1905, and to provide that no bona fide resident of the State of Montana shall be required to obtain a license, under the provisions of said act in order to fish in the streams of this State.

By Gray: A Bill for the reapportionment of the State for Representation purposes.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 10th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Resolution was introduced by Campbell of Silver Bow, "Be it Resolved: That a Committee of Five members of this House be appointed to investigate the operation of the Police System existing in Butte, the management and discipline thereof and all alleged abuses connected therewith and report to this House, together with the result of their investigation, recommendations for an effective System of Police organization and management in Cities of the First Class.

That said Committee be authorized to send for persons and papers compel attendance of witnesses and the production of papers and exercise all authority and powers which, under the Constitution and the law may be delegated or exercised by Committee, That said Committee be further authorized to hold Sessions in the City of Butte as well as at Helena."

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 10th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the House Committee on Employees have appointed the following named persons as Stenographers and Clerks:

Miss Alta McMahon, of Broadwater County.

Miss Alice M. Woody, of Missoula County.

Miss Maud Sagle, of Lewis and Clark.

Miss Maud Miller of Silver Bow.

Mrs. Margaret L. Morton, of Granite.

Also, Emmet Griffin to be employed as Messenger for the Telephone Operator, at the Capitol.

Respectfully,

NATHAN GODFREY Chief Clerk.

House of Representatives, Helena, Montana, January 9th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following notices of Bills have been presented today:

By Morris: A Bill providing for Fire Escapes from Hotels, Lodging Houses and Rooming Houses.

A Bill providing for the creation of a new Judicial District and to be composed of Yellowstone and Rosebud Counties.

By Cluston: A Bill to create the office of State Railroad Track, roadbed Inspector for the State of Montana and prescribing his powers and duties and fixing compensation therefor.

By Macaulay: A Bill for an Act to enable Counties, Towns and School Districts of the State of Montana, to use automatic Ballot Machines at all elections therein.

Also, a Bill for an Act entitled "An act to provide for the appointment of a State Board of Voting Machine Commissioners, defining their powers, duties and compensation thereof.

By Weed: A Bill for an Act to create a Railroad and Warehouse Commission and define its duties.

By Blake: A Bill entitled "A Bill for an Act entitled "A Bill for an Act entitled an Act to amend Sections 443 and 449 of the Political Code of Montana and to provide further regulations for the safe keeping and management of Public Funds in the hands of the State Treasurer and to increase his official Bond and provide for the payment of the premium thereon.

Blake: An Act entitled an act to amend Section 4367 of the Political Code of Montana as amended by Chapter 5 of the laws of 1905, and Section 4788 of the same Code, relating to the deposit and control of Public Moneys in the possession of County and City Treasurers, and to provide for the payment of interest on such deposits of Public money and for the furnishing of official bonds by such officers signed by surety Companies, and for the payment of the premiums thereon.

Also: A Bill entitled "An Act to amend Section 770 of the Penal Code of the State of Montana, relating to the safe keeping and disposition of Public moneys.

By Boorman: A Bill entitled "An Act to amend Section 2211 of Title 7 of Chapter 1 of Part 3, of the Code of Civil Procedure of the State of Montana as amended by Senate Bill No. 104 of the Sixth Legislative Assembly, approved March 7, 1899, referring to the right of permanent and temporary logging roads.

By Whiteside: A Bill to authorize the organization of local Fire Insurance Companies.

By Whiteside: A Bill to provide for the investigation of Private Banks. A Bill to prohibit the giving or acceptance of free Railroad Passes.

By Corby: A Bill regulating the employment of children in occupations other than underground mining.

By Miller, of Park County: A Bill for an act authorizing the County Commissioners to vacate lots, streets and alleys in Village plats when such Village shall be abandoned and such lots, streets and alleys shall cease to be used for public purposes.

By Duncan: A Bill to amend Section 1012 of the Political Code of Montana, relating to the time in which public officers must take, subscribe and file their oaths of office.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 10th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Resolution by Allen, was adopted:

"Whereas, the Honorable William Jennings Bryan, one of America's fore-

most statesman and student of public affairs will visit Helena, the Capitol City of Montana, Friday, January 11th, 1907,

Therefore, be it resolved, that the Speaker of the House do, and he is hereby authorized to invite Mr. Bryan to deliver an address to this House on Friday, at such time as he may designate, and that the Honorable Senate be invited to join with us." Respectfully,

NATHAN GODFREY, Chief Clerk.

The following Resolution was offered by White:

Senate Concurrent Resolution No. 2.

Whereas, the Hon. William Jennings Bryan, one of the Nation's most Distinguished Citizens, will visit the City of Helena on Friday, Jan. 11th,

Resolved by the Senate, the House Concurring, that Mr. Bryan, be invited to address the Joint Session of the House and Senate, and that a committee of three Senators be appointed by the President of the Senate, and three representatives to be appointed by the Speaker of the House, convey the invitation to Mr. Bryan, and if the same is accepted to arrange with him the time and place of the address.

On motion of White the above resolution was adopted.

The Chair appointed White, Long and McCone as such Committee.

Notices of Introduction of Bills were given as follows:

By Annin: A Bill for an Act entitled "An Act to create the Thirteenth Judicial District of the State of Montana, to be composed of the Counties of Yellowstone and Rosebud, to change the boundaries of the Seventh Judicial District of said State to conform thereto, and to provide for the appointment of a Judge for such Thirteenth Judicial District.

By White: An Act entitled an Act to amend Section 180 of the Code of Civil Procedure, relating to the disqualification of Judges, as amended by Act Approved December 10th, 1903.

By White: A Bill for an Act appropriating money for the payment of M. S. Gunn for services rendered in the State of Montana, and in the United States Supreme Court, in the matter of Validity of Bonds, issued and to be issued, against the State Normal College Land Grant.

By White: An Act entitled "An Act Prohibiting the Giving, or issuing, of Free Tickets, Free Passes, or Free Transportation to Passengers, by Common Carriers doing business in this State, excepting to their own employees, and other classes herein named.

Notice to amend Rule XX by Romney as follows:

Senate Chamber, Helena, Montana, January 10th, 1907.

Mr. President:

Notice is hereby given, that on tomorrow or some subsequent day I will Move to amend Rule XX, by adding thereto a Committee to be known as a Committee on Horticulture to consist of Five members.

By McDonnell: A Bill creating the Thirteenth Judicial District.

By Edwards: A Bill for an Act entitled an Act to legalize outstanding bonds and warrants of counties heretofore issued for the purpose of paying for the construction of highways, bridges and public buildings.

By Albright: A Bill for an act governing the manner of locating, recording and holding possession of Mining claims upon the Public Domain of the United States within the State of Montana.

Adjourned until 10:30 A. M. tomorrow.

FIFTH DAY

Helena, Montana, January 11th, 1907.

Senate convened at 10:30 o'clock A. M.

President in the Chair.

Roll called. Quorum present.

Prayer by Chaplain.

Reading of Journal temporarily dispensed with.

Committee appointed to select Standing Committees reported as follows:

Senate Chamber, Helena, Montana, January 11th, 1907.

Mr. President:

Your Committee appointed to select the Standing Committees of the Senate, beg leave to report and hereby select and appoint, subject to the approval and adoption of the Senate the following Standing Committees:

McCONE.
DONLAN,
TOOLEY.

STANDING COMMITEES OF THE SENATE.
TENTH LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA.

EDWIN NORRIS, PRESIDENT.

1. Agricultural and Manufactures.—McDonnell, Albright, Cowgill, Cardwell, Romney.

2. Mileage.—Metcalf, Harper, Truscott.

3. Corporations Other Than Municipal.—Miles, Everett, Sanders, Harper, Haviland, Martien, Rae.

4. Counties, Towns and Municipal Corporations.—Donlan, McLean, Albright, Tooley, Metcalf, Muffly, Haviland.

5. Education.—Tooley, Rae, Miles, Romney, Haviland.

6. Engrossed Bills.—Albright, Fairbanks, Cardwell.

7. Enrolled Bills.—Rae, Cowgill, Glidden.

8. Federal Relations.—Muffly, Truscott, Bielenberg, Fairbanks, Donlan.

9. Finance and Claims.—McCone, McLean, Tooley, McDonnell, Harper, Martien, Truscott.

10. Judiciary.—White, Everett, Long, Annin, Miles, Edwards, Glidden.

11. Military Affairs.—Martien, Long, Annin.

12. Mines and Mining.—Harper, Rae, White, McCarthy, Muffly.

13. Public Buildings.—Annin, Cowgill, Miles, Tooley, Edwards, Glidden, Romney.

14. Public Lands.—McLean, Donlan, Metcalf, McCone, Long.

15. Public Morals.—Cardwell, Donlan, Tooley.

16. Printing.—Sanders, Metcalf, Romney.

17. Roads, Highways and Bridges.—Cowgill, Bielenberg, McCone, Fairbanks, Muffly, Glidden, Martien.

18. Libraries.—Bielenberg, White, Cardwell.

19. Irrigation and Water Rights.—Everett, Edwards, Metcalf, Cowgill, McDonnell, Long, Romney.

20. Fish and Game.—Miles, White, Harper, Haviland, Long.

21. Election and Privileges.—Fairbanks, White, Bielenberg, Long, Muffly.

22. Labor and Capital.—McCarthy, Fairbanks, Sanders, McDonnell, Truscott.

23. Stock Growing and Grazing.—Bielenberg, McCone, McLean, Edwards, Tooley, Everett, Truscott.

24. Immigration.—Glidden, Haviland, Rae, Albright, Edwards.

25. Apportionment and Representation.—Edwards, Annin, Fairbanks, Sanders, McCarthy.

26. Fairs and Expositions.—Donlan, Miles, McLean, Martien, McCarthy.

27. Railroads and Transportations.—Everett, Sanders, White, McCarthy, Martien.

28. Rules.—White, Miles, McCarthy.

On motion of Donlan the Committees as recommended were approved and selected.

The following communications from the House were received and read:

House of Representatives, Helena, Montana, January 11th, 1907.

Mr. President:

The Speaker announces the appointment of the following Standing Committees:

Mines and Mining.—McManus, Farmer, Blewett, Allen, Kroger, Seidler, Duncan, Wilham and Powers.

Townships and Counties.—Brownlee, Morris, Griffin, Maxwell, Thompson of Fergus, Brewster, Cummings, Duncan and Cato.

Education.—Miller of Park, Blake, Shaw, Cutler, Whiteside, Leighton, Thompson, Fergus, Hyndman and Cluston.

Irrigation and Water Rights.—Decker, Farmer, Griffin, Miller of Park, O'Connor, Whiteside, Beckwith, Cameron and Cummings.

Affairs of Cities.—Wendel, Goff, Macaulay, Wilder, Warren, Morgan, English, Scallon and Swindlehurst.

Printing.—Shaw, Morgan, Harbordt, Bennett and Duncan.

Engrossment.—Gray, Patten, Manchester, Sherman and Moore.

Enrollment.—Hardin, Bennet, Powers, Warren and Logan.

Insurance.—Weed, Cameron, Swindlehurst, Cutler, Whiteside, Hardin and Seidler.

Livestock and Ranges.—Brewster, Cummings, Decker, Thompson, Fergus, Towers, Potter, Thompson, Sanders, Maxwell and Gray.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body of the appointment of Charles Cooper, as Clerk, by the Judiciary Committee.

Respectfully,

NATHAN GODFREY Chief Clerk.

House of Representatives, Helena, Montana, January 10th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body of the appointment of Miss Nellie Stubblefield as Stenographer to the Speaker, also the appointment of Geo. Morton, Wm. Dryburgh and J. E. Templeton as watch-

man under date of January 8th, the announcement having been omitted from the Journal of that date.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 10th, 1907.

Mr. President:

I am directed to inform your Honorable Body the Speaker, pro tem, has appointed O'Connor, Burke and Bennet, of Madison, as a Committee to concur with the Committee of your Honorable Body on "Senate Concurrent Resolution No. 2" introduced by White.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 10th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following notices of Bills have been presented to-day:

By Shaw: A Bill for an Act to amend Section 448 of the Political Code, relating to the publicafion of the State Treasurer's Report.

By Wendel: A Bill for an Act entitled "An Act for the submission to the electors of the State of Montana, for their approval or rejection, an amendment to Section 6, Article XIII of the Constitution of the State of Montana, relating to the indebtedness of Cities:

By Moore, By request: A Bill for an Act entitled "An Act to provide for the re-imburseemnt of Judges sitting in the places of disqualified Judges.

By Tudor: A Bill for an Act to create a good road and highway commission for the State of Montana.

By Potter: A Bill entitled "An Act to appropriate moneys for the payment of Mileage and per diem for the members of the Tenth Legislative Assembly of the State of Montana, also, for the payment of per diem of the officers and attaches thereof.

By Marshall: A Bill for an act providing for the additional Judge in the Fourth Judicial District of this State.

By Whiteside: A Bill to authorize the erection of a Hospital Building at the State Soldiers Home, and to appropriate money therefor.

By Hyndman: A Bill appropriating money for a tablet to be placed in the Capitol to the memory of Captain James Williams.

By McDonald: A Bill for an Act entitled "An Act creating a Firemen's Disability Fund in Cities and Towns where there is an established paid Fire Department, and providing for the Government, organization, control and maintenance thereof; and to repeal Sections 8 and 9 of H. B. 17, Laws 1899, and Chapter CXIII of the Session Laws 1903.

By Corby: A Bill for an Act making effective the Initiative and Referendum provisions of Section 1 of Article 5, as amended, of the Constitution of the State of Montana.

By Miller of Park, by request: A Bill for an Act entitled "An Act to amend Section 260 of the Code of Civil Procedure, relating to the drawing of juries, and the time at which they are required to attend Court.

By McCaulay: A Bill for an Act entitled "An Act to provide for the Registration of Electors.

By Manchester: A Bill for an Act entitled "An Act relating to the num-

ber of deputies allowed County Auditors in counties of the first class, and fixing the compensation thereof.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 10th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced:

By Miller, of Park: H. B. No. 5, A Bill for an Act entitled an Act authorizing the County Commissioners to vacate lots, Streets and Alleys, in Village Plats when such Village shall be abandoned, and such Lots, Streets and Alleys shall cease to be used for public purposes.

By Duncan: H. B. No. 6, A Bill for an Act to amend Section 1012 of the Political Code of the State of Montana, relative to the time within which public officers shall file their oaths of office.

By Boorman: H. B. No. 7, A Bill for an Act to amend Section 2211 of Title VII of Chapter I, Part III, of the Code of Civil Procedure of the State of Montana, as amended by Senate Bill No. 104 of the Sixth Legislative Assembly approved March 7th, 1899, relative to the rights of eminent domain.

By Duncan: A Bill for an Act to amend Section 4 of an Act to repeal Sections 15, 19, 20, 21, 22, and 23, of an Act entitled "An Act to repeal Sections 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, of the Political Code of the State of Montana, and to provide for the appointment of a State Game and Fish Warden, Deputy Game and Fish Wardens and Special Deputy Game and Fish Wardens, and define their powers and duties and providing for their compensation," approved March 18th, 1901, and to provide for the licensing of resident and non-resident sportsmen and hunters; to fix prices on shipping permits, to furnish the State Game and Fish Warden with a Clerk, to classify packers as guides; and to provide penalties for the violation of the provisions of this Act which became a law without the Governor's approval on March 2nd, 1905, by lapse of time and to provide that all bona fide residents of this state may fish in streams thereof without first obtaining a license therefor.

H. B. No. 5, read first and second time, and referred to Committee on Affairs of Cities.

H. B. No. 6, read first and second time, and referred to Judiciary Committee.

H. B. No. 7, read first and second time and referred to Committee on Highways.

H. B. No. 8, read first and second time and referred to Committee on Fish and Game.

Respectfully,

NATHAN GODFREY, Chief Clerk.

The following bills were read first and second time.

S. B. No. 2, by McDonnell: A Bill for an Act to create the Thirteenth Judicial District of the State of Montana to be composed of the Counties of Yellowstone and Carbon, and providing for the election of a Judge thereof.

Referred to Committee on Judiciary.

Senate Bill No. 3, by White: A Bill for an Act prohibiting the giving or issuing of free tickets, free passes or free transportation to passengers by com-

mon carriers doing buisness in the State excepting to their own employees and other classes herein named.

Referred to Committee on Railroads and Transportation.

S. B. No. 4, by Edwards: A Bill for an Act entitled "An Act to legalize outstanding bonds and warrants of counties heretofore issued for the purpose of paying for the construction of highways.

Referred to Committee on Counties, Towns, and Municipal Corporations.

S. B. No. 5, by White: A Bill for an Act entitled "An Act to amend Section 180 of the Code of Civil Procedure, relating to the disqualification of Judges, as amended by Act approved December 10th, 1903.

Referred to Judiciary Committee.

On motion of Donlan there was ordered printed 200 copies of list of standing Committees, and 200 copies of Order of Business, each printed on cardboard.

Moved by Donlan that Printing Committee be instructed to confer with a like Committee from the House concerning the number of copies printed of the Governor's Message so as not to have printed a greater amount than provided for in Concurrent Resolution No. 1.

Motion carried.

Notice of the following Joint Resolution was given by Miles:

Senate Chamber, Helena, Montana, January 11th, 1907.

Mr. President:

I hereby give notice that I will on to-morrow or some subsequent day, introduce Senate Joint Resolution No. 1.

A Resolution requesting Congress to call a Convention for the purpose of proposing an amendment to the Constitution of the United States, which amendment shall provide for the election of United States Senator by direct vote of the people.

Following notice of Introduction of Bill was given:

By Romney: A bill creating a Judicial District to be composed of the County of Ravalli.

Moved by Romney that Rule XX be amended by adding thereto, the following: "29.—Horticultural, to consist of five members."

Motion carried and Rule XX amended.

The following notices of Bills to be introduced were given:

By Miles: A Bill for an Act to amend Section 1884 of the Civil Code of the State of Montana, relating to the use of surplus water by prior appropriations.

By Haviland: A Bill to amend Section 1192 of the Penal Code of the State of Montana, relating to persons who unlawfully, wrongfully and without authority use the name, title of officers, insignia, ritual or ceremonies of certain orders and societies, and providing punishment for the violation of the provisions of this Act.

By Sanders: A Bill for an Act to regulate the hours of labor of Locomotive Engineers, Locomotive Firemen, Conductors, Trainmen, Operators, and agents acting as operators and to provide a penalty for the violation thereof.

By Martien: A Bill for an Act to amend Section 3070, 3071, 3072, and repeal Section 3076, of the Political Code of Montana, as amended by an act approved March 6th, 1903; relating to the bounties for the killing of certain wild animals.

By Martien: A Bill entitled "An Act to amend Section 32, Title 1, Part 1, Chapter IV, of the Code of Civil Procedure, as amended by an Act approved March 11th, 1901."

Recessed until 1:45 this afternoon.

AFTERNOON SESSION.

Senate reconvened at 1:45 P. M.

President in the Chair.

Roll called, quorum present.

Journal read and approved.

Senator Donlan excused.

Dispensed with reading of Rules at length.

Committee on Regular Standing Committees reported as follows:

Senate Chamber, Helena, Montana, January 11th, 1907.

Mr. President:

Your Committee appointed to select and recommend the Regular Standing Committees of the Senate report and recommend as follows:

"29. Committee on Horticulture.—Romney, Donlan, Long, Fairbanks, Glidden.

Respectfully submitted,

GEO. McCONE, Chairman."

Upon motion of Tooley the above committee was added to the Regular Standing Committees of the Senate.

An invitation to the Senate from the Winnie Davis Chapter United Daughters of the Confederacy to attend the One Hundredth Anniversary of the Birth of General Robert Edward Lee, was read and ordered filed.

A communication was received from the State Librarian asking the members of the Senate to present to the Historical Library cabinet sized photographs of themselves. Communication read and ordered filed.

Recess until 3 P. M.

Senate reconvened at 3 P. M.

President in the Chair.

Roll called, quorum present.

White moved that the Senate repair to the hall of the House to listen to an address by the Honorable William Jennings Bryan; and thereafter stand adjourned until 2 o'clock P. M., Monday.

Motion carried.

H. K. HOWRY, Secretary.

SIXTH DAY

Helena, Montana, January 14th, 1907.

Senate convened at 2 o'clock P. M.

President in the chair.

Roll called, quorum present.

Prayer by the Chaplain.

Journal read and approved.

Senators Bielenberg and Long report for roll call.

A communication from Geo. E. Boos, Special Commissioner, Alaska-Yukon Pacific Exposition, 1909, with reference to the State of Montana participating in the Alaska-Yukon Pacific Exposition, which will be held in Seattle in 1909, was read and referred to Committee on Fairs and Expositions.

Committee on Mileage reported as follows:

Helena, Montana, January 14th, 1907.

Mr. President:

Your Committee on Mileage whose duty it is to ascertain the number of miles traveled by members of the Senate, to and returning from the Capitol together with the several amounts due said members, begs leave to report as follows:

Lieut. Gov. Edwin Norris, Dillon to Helena and return..	284 Miles	$ 28.40
Albright, Jacob, Virginia City to Helena and return.....	392 Miles	39.20
Annin, J. B., Columbus to Helena and return.....	396 Miles	39.60
Bielenberg, J., Deer Lodge to Helena and return.....	124 Miles	12.40
Cardwell, Edward, Jefferson Island to Helena and return.	224 Miles	22.40
Cowgill, William, Dupuyer to Helena and return.....	398 Miles	39.80
Donlan, Edward, Missoula to Helena and return.....	250 Miles	25.00
Edwards, J. E., Forsyth to Helena and return.....	692 Miles	69.20
Everett, T. M., Harlem to Helena and return.....	530 Miles	53.00
Fairbanks, Chas. E. Plains to Helena and return.....	404 Miles	40.40
Glidden, Samuel, Bridger to Helena and return.....	506 Miles	50.60
Harper, W. W., Anaconda to Helena and return.....	198 Miles	19.80
Haviland, W. H., Butte to Helena and return.....	144 Miles	14.40
Long, T. D., Kalispell to Helena and return.....	972 Miles	97.20
Martien, Charles, Nelson to Helena and return.....	70 Miles	7.00
Metcalf, Geo., Phillipsburg to Helena and return.....	192 Miles	19.20
Miles, A. W., Livingston to Helena and return.....	246 Miles	24.60
Muffly, C. S., Winston to Helena and return.....	42 Miles	4.20
McCarthy, J. C., Bozeman to Helena and return.....	198 Miles	19.80
McCone, Geo., Reeta to Helena and return.....	1008 Miles	100.80
McDonnell, Chas., Melville to Helena and return.....	394 Miles	39.40
McLean, Kenneth, Miles City to Helena and return.....	772 Miles	77.20
Rae, H. M., Gilt Edge to Helena and return.....	450 Miles	45.00
Romney, Miles, Hamilton to Helena and return.....	348 Miles	34.80
Sanders, James, Great Falls to Helena and return.....	198 Miles	19.80
Tooley, Clarence, Two Dot to Helena and return.....	240 Miles	24.00
Truscott, J. L., Glasgow to Helena and return.....	750 Miles	75.00
White, B. F., Dillon to Helena and return.....	284 Miles	28.40

Report of Committee adopted. GEO. METCALF, Chairman.

The following communications from the House received and read:

House of Representatives, Helena, Montana, January 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following notices of Bills have been presented to the House today:

By Miller of Park: A Bill for an Act entitled "An Act to repeal an act entitled, "An Act to provide for assistants for the office of Attorney General, and fix the salaries thereof, approved, March 9th, 1901, and to provide for the appointment of two Assistant Attorneys General and a Stenographer for the Attorney General's office and to fix the salaries thereof."

(The above notice was omitted from the Journal of January 10th, 1907.)

By Scallon: A Bill for an Act to propose and submit to the people a constitutional amendment amending Section 6 of Article XVI of the Constitution of the State of Montana.

By Brownlee: A Bill entitled an Act prohibiting deductions by Insurers for depreciation for any cause after loss, and adding a Section to be numbered 3504, to Division III, Part IV, Chapter IX, of the Civil Code of Montana, relating to loss of property insured.

By Marshall: A Bill for an Act relating to the docketing of judgments of Federal Courts in the Counties of this State, to constitute liens on real estate of Judgment Debtor.

By Hyndman: A Bill providing for an Appropriation for the purpose of erecting a Hospital Building for the State Orphans Home at Twin Bridges, and making other necessary improvements in connection with the State Orphans Home.

By Gray: A Bill providing for the deduction of the Mortgage Indebtedness on real estate, of residents of the State of Montana, under certain conditions, from their assessments for Taxation purposes.

By Gray: A Bill for the taxation of Mortgages, in which the actual mortgagee is a resident of the State of Montana, but the mortgagee in the mortgage is a non-resident, and requiring certain requisites and affidavits concerning such mortgages.

By Bennett of Madison: A Bill providing for the election of Road Supervisors at the annual school election and to amend Chapter XLIV, Article 3, Section 17, and Article 4, Section 32, Division 4 of the laws of 1903; said Sections relating to Road Supervisors and their duties.

By Shaw: An Anti-fusion measure.

By Shaw: A Bill relating to the duties of the State Superintendent of Public Instruction.

By McManus: A Bill for an Act entitled "An Act to amend Section 580 and 581 of the Political Code and to provide for the election of State Mine Inspectors, and the appointment of Deputy State Mine Inspectors.

By Boorman: A Bill providing for the erection, equipment and furnishing of a hospital at the Soldier's Home at Columbia Falls, Montana.

By Leighton: A Bill for an Act authorizing the creation of a Hospital and other necessary buildings for the schools for the Deaf and Blind and Feeble Minded Children at Boulder, and for the furnishing and equipment thereof, and for other purposes, and appropriating money therefor.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Committee on Education have appointed Miss Alma Mohr as Clerk with the understanding that, when the services of Miss Mohr are not required by the above Committee they shall be available for other Committee work.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were taken from the file:

H. B. No. 9, read first and second time by title only, and referred to Committee on Highways.

H. B. No. 10, read first and second times by title only, and referred to Committee on State Boards and Officers.

H. B. No. 11, read first and second times, by title only, and referred to Committee on State Boards and Officers.

H. B. No. 12, read first and second times by title only, and referred to Committee on State Boards and Officers.

H. B. No. 13, read first and second times by title only, and referred to Judiciary Committee.

H. B. No. 14, read first and second times by title only, and referred to Judiciary Committee.

H. B. No. 15, read first and second times by title only, and referred to Judiciary Committee.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Miss Fanny Gill has been appointed Clerk to Committee on Printing.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Miller of Park, has presented a petition relating to creating of 13th Judicial District, same read, and referred to Judiciary Committee.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that H. B. No. 17 was read first and second times, and referred to Committee on Affairs of Cities.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Mr. Speaker appointed the following Committee to confer with a like Committee from the Senate in Senate Concurrent Resolution No. 1: Blake, Macaulay and Swindlehurst.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that H. B. No. 16, was read first and second times and referred to Printing Committee.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced and placed on File:

By Tudor: H. B. No. 9, a Bill for an Act to create a Highway Commission for the State of Montana, and defining the powers and duties of same (additional to Chapter IV, Part III, Title III, of the Code relating to the Agricultural College of Montana.)

By Blake: H. B. No. 10.—A Bill for an Act entitled An Act to amend Sections 443 and 449 of the Political Code of Montana, and to provide for further regulations for the safe keeping and management of public funds in the hands of the State Treasurer, and to increase his official bond and provide for the payment of the premium thereon.

By Blake: H. B. No. 11.—A Bill for an Act entitled An Act to amend Section 4367 of the Political Code of Montana as amended by Chapter 5 of the Laws of 1905, and Section 4788 of the same Code, relating to the deposit and control of public moneys in the possession of County and City Treasurers, and to provide for the payment of interest on such deposits of public moneys and for the furnishing of official bonds by such officers signed by surety companies, and for the payment of the premium thereon.

By Miller of Park, by request: H. B. No. 12.—A Bill for an Act to repeal an Act entitled "An Act to provide for assistants for the office of Attorney General and fix the Salaries thereof" approved March 9th, 1901, and to provide for the appointment of two Assistant Attorneys General, and a Stenographer for the Attorney General's Office, and to fix the salaries thereof.

By Morris: H. B. No. 13.—A Bill for an Act entitled, An Act to create the Thirteenth Judicial District of the State of Montana, to be composed of the Counties of Yellowstone and Rosebud, to change the boundaries of the Seventh Judicial District of the said State to conform thereto and to provide for the appointment of a Judge for such Thirteenth Judicial District.

By Moore: H. B. No. 14.—A Bill for an Act entitled "An Act to provide for the reimbursement of Judges sitting in the place of disqualified Judges.

By Miller of Park, by Request: H. B. No. 15.—A Bill for an Act entitled "An Act to amend Section 260 of the Code of Civil Procedure, relating to the drawing of Juries, and the time at which they are required to attend Court.

By Shaw: H. B. No. 16.—A Bill for an Act to amend Section 448 of the Political Code of the State of Montana.

Respectfully, NATHAN GODFREY, Chief Clerk.

The following Bills were read first and second times:

S. B. No. 6, by Albright: A Bill for an Act governing the manner of locating, recording, and holding possession of mining claims upon the public domain of the United States within the State of Montana.

Referred to Committee on Mines and Mining.

S. B. No. 7, by Haviland: A Bill for an Act to amend Section 1192 of the Penal Code of the State of Montana, making it unlawful to wrongfully and without authority use the name, title of officers, insignia, ritual or ceremonies of certain orders, societies, and providing punishment for the violation of the provisions of this Act.

Referred to Committee on Judiciary.

S. B. No. 8, by Miles: A Bill for an Act to amend Section 1884 of the Civil Code of the State of Montana relating to the use of surplus waters by prior appropriators.

Referred to Committee on Irrigation and Water Rights.

The following Senate Joint Resolution No. 1, was read first and second times

By Miles: A Resolution requesting Congress to call a Convention for the purpose of proposing an amendment to the Constitution of the United States, which amendment shall provide for the election of United States Senators by direct vote of the people.

Referred to Committee on Federal Relations.

Notice of Introduction of Bills as follows:

By McCone: A Bill for an Act to amend Section 4064 of the Political Code of the State of Montana, as amended by an Act approved March 4th, 1901, relating to licenses, and to repeal Section 4072 of the same Code relating to professional licenses.

By Truscott: A Bill for an Act entitled "An Act amending Section 2941 of Article I, Part III, Title VII, of the Political Code of the State of Montana, relating to the recording of Marks and Brands, and providing a charge for such services."

By Glidden: A Bill for an Act entitled "An Act to provide for an appropriation from the County Treasurer of each County for the display of various products at the State Fair."

By Donlan: A Bill for an Act to amend An Act entitled "An Act to Amend the Act Entitled "An Act to prevent wrongs to children and dumb animals, and to establish a bureau of child and animal protection," approved March 7th, 1903, and repealing Sections 1, 2, 3, 4, 5, 6, 7, and 8 of said act approved March 4th, 1905.

By Miles: A Bill to validate the official acts of Notaries Public, within the State of Montana, which acts have been performed since the 15th day of February, 1905.

By Tooley: An Act to amend Section 1520 of the Political Code of the State of Montana relating to the duties of the State Superintendent of Public Instruction regarding the revocation of State or Life Diplomas and the issuance of temporary State Certificates.

Adjourned until 11 o'clock A. M. tomorrow.

H. K. HOWRY, Secretary.

NINTH DAY

Helena, Montana, January 15th, 1907.

Senate convened at 11 o'clock A. M.

President in the chair.

Roll called, quorum present.

Prayer by the Chaplain.

Journal read and approved.

An invitation from the Typographical Union to attend the annual dance of that organization, received, read and ordered placed on file:

Printing Committee reports as follows:

Senate Chamber, Helena, Montana, January 15th, 1907.

Mr. President:

Your Committee on Printing begs leave to report that the Governor's Special Message, The Order of Business and the Standing Committees of the Senate, are printed and ready for distribution.

SANDERS, Chairman.

Report approved.

Senate Chamber, Helena, Montana, January 15th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred Senate Bill No. 4, has had the same under consideration and recommend that the same do pass.

DONLAN, Chairman.

Report approved and referred to Printing Committee.

Conference Committee report as follows:

Senate, Tenth Legislative Assembly, The Capitol, January 14th, 1907.

Mr. President:

We, your Conference Committee, appointed to meet with a like Committee from the House, for the purpose of deciding as to the number of copies of the Governor's Message to be printed, beg leave to report as follows:

That 1,000 copies of the message be printed; 300 for the use of the House, 200 for the use of the Senate and 500 for miscellaneous purposes.

Five hundred copies of the Special Message with Statement showing financial Condition of the State, Estimates and Contingent Expenses, etc., were printed for the use of the Senate and by agreement, 300 of these copies were given to the House for its use.

SANDERS, Chairman.

Report adopted.

The following Communications from the House were received and read:

House of Representatives, Helena, Montana, January 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Speaker has announced the following Standing Committees, the enclosed list being complete.

Respectfully,

NATHAN GODFREY, Chief Clerk.

STANDING COMMITTEES.

1. Ways and Means.—Allen, Boorman, Gray, O'Connor, Walker, Selway, Bennett, Barbour, Tower.

2. Appropriations.—Bennett, Leighton, Kroger, Whiteside, Marshall, Swindlehurst, Tudor, Miller, C. B., Blake.

3. Judiciary.—Scallon, Marshall, Gray, Weed, Miller, Moore, Swindlehurst, Duncan, Maxwell.

4. Privileges and Elections.—Blake, Macaulay, Cato, Moore, McManus, O'Connor, Patten, Selway, Sherman.

5. Agriculture and Horticulture.—Greene, Fisher, Boorman, Root, Griffin, Hyndman, Miles, Sherman, Thompson, E. J.

6. Mines and Mining.—McManus, Farmer, Blewett, Allen, Kroger, Seidler, Duncan, Wilham, Powers.

7. Townships and Counties.—Brownlee, Morris, Griffin, Maxwell, Thompson, R., Brewster, Cummings, Duncan, Towers.

8. Education.—Miller, H. J., Blake, Shaw, Cutler, Whiteside, Leighton, Thompson, R., Hyndman, Cluston.

9. Military Affairs.—Goff, Manchester, Barbour, Gerber, Kirwan, Hess, Corby.

10. Federal Relations.—Beckwith, Longstaff, Campbell, Scallon, Morgan, Cato, Powers, Selway, Wilham.

11. Internal Improvements.—English, Goff, Towers, Cluston, Longstaff, Manchester, Wilham.

12. Improvements and Manufacturing.—Seidler, Campbell, Burke, Gerber, Moore, McManus, Wendel.

13. State Lands.—Towers, Morris, Burke, Greene, Root, Blewett, Brewster, Cato, Walker.

14. Irrigation and Water Rights.—Decker, Farmer, Griffin, Miller, H. J., O'Connor, Whiteside, Beckwith, Cameron, Cummings.

15. State Boards and Officers.—Cameron, Shaw, Gerber, Bennetts, Kroger, Wilder, Selway.

16. Labor.—Ross, Corby, Harbordt, Hess, Kirwan, Blewett, Miller, H. J., Patten, Warren.

17. Apportionment and Representation.—Morris, Goff, Seidler, Kirwan, Beckwith, Fisher, Campbell, Greene, Griffin.

18. Railroads and Transportation.—Marshall, Moore, Brewster, Selway, Logan, Maxwell, Miller, C. B., O'Connor, Walker, Morris, Warren.

19. State Institutions, Public Buildings and Grounds.—Tudor, Harbordt, Allen, Decker, Wendel, Leighton, Bennetts, McDonald, Longstaff.

20. Fish and Game.—Logan, English, Brownlee, Blewettt, Greene, Morgan, Weed, Macaulay, Cluston.

21. Affairs of Cities.—Wendel, Goff, Macaulay, Wilder, Warren, Morgan, English, Scallon, Kirwan.

22. Rules, Joint Rules, and Order of Business.—Bennett, Marshall, Allen, Swindlehurst.

23. Mileage and Per Diem.—Potter, Cameron, Cutler, Sherman, Miles.

24. Immigration.—Bennetts, Beckwith, Decker, Fisher, Harden.

25. Printing.—Shaw, Morgan, Harbordt, Bennetts, Duncan.

26. Enrollment.—Gray, Patten, Manchester, Sherman, Moore.

27. Enrollment.—Harden, Bennett, Powers, Warren, Logan.

28. Libraries.—Cutler, Barbour, Corby, Harden, Kroger, Leighton, Wilder, Blake, Hyndman.

29. Insurance.—Weed, Cameron, Swindlehurst, Cutler, Whiteside, Harden, Seidler.

30. Highways.—Boorman, Tudor, Root, Cummings, Thompson, E. J., Patten, Miles, Potter, Thompson, R.

31. Fairs and Expositions.—Hyndman, English, Wendel, Farmer, Corby, Harbordt, Ross, Wilham, Walker.

32. Live Stock and Ranges.—Brewster, Cummings, Decker, Thompson, R., Cato, Potter, Thompson, E. J., Maxwell, Gray.

33. Corporations Other Than Municipal.—Walker, Weed, McDonald, Logan, Ross, Powers, Gerber.

34. Sanitary Affairs.—Barbour, Macaulay, Hess, Farmer, Burke.

35. House Employees.—Miller, C. B., Potter, Miles, Tudor, Brownlee.

36. Journal.—Boorman, Burke, Corby.

House of Representatives, Helena, Montana, January 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Committee on Printing reports back H. B. No. 16, with the recommendation that it do pass.

Ordered printed.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Joint House Memorial No. 1, was introduced by Patten:

Petitioning Congress to enact such legislation as will result in the opening of Ft. Peck Indian Reservation,—read first and second times, by title only, and referred to Committee on Federal Relations.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced, read first and second times, by title only, and referred to Committee.

By Blake: H. B. No. 18. A Bill to amend Section 770 of the Penal Code of the State of Montana, relating to the safe keeping and disposition of public moneys.

Refered to Committee on Ways and Means.

By Whiteside: H. B. No. 19. A Bill for an Act entitled "An Act to authorize the construction of a Hospital Building at the Montana State Soldiers Home. To provide for a heating plant for the heating of all buildings at said Montana State Soldiers Home including said Hospital Building. To provide for the improvement of the Cemetery Grounds and the erection of a central monument in said Cemetery of the Montana State Soldiers Home. To appropriate money for all of said purposes.

Referred to State Institutions and Public Buildings.

By Brownlee: H. B. No. 20. A Bill for an Act prohibiting deductions

for depreciation from any cause after loss, and adding a Section to be numbered 3504 to Division III, Part IV, Chapter IX, of the Civil Code of Montana, relating to loss of property insured.

Referred to Committee on Insurance.

By McManus: H. B. No. 21. For an Act entitled An Act to amend Sections 580 and 581 of Part Three, Chapter Three, Title One of the Political Code of Montana, providing for the office of the Inspector of Mines.

Referred to Committee on Mines and Mining.

By McDonald: H. B. No. 22. A Bill for an Act entitled "An Act to create a disability fund in Cities and Towns of the State of Montana, where there is an established paid Fire Department, for the benefit of Firemen disabled in the line of duty; authorizing Cities and Towns to levy an annual tax for the maintenance thereof; providing for the organization, government and control thereof; providing penalties for any violation thereof; and to repeal Sections 8 and 9 of House Bill No. 17, Session Laws of 1899 of Montana, and to repeal Chapter CXIII of the Session Laws of 1903 of Montana.

Referred to Committee on Affairs of Cities.

By Corby: H. B. No. 23. A Bill for an Act entitled "An Act making effective the initiative and referendum provisions of Sec. 1 of Article 5, as amended, of the Constitution of the State of Montana, and regulating elections thereunder, and providing penalties for violations of the provisions of this Act.

Referred to Committee on Privileges and Elections.

By Shaw: H. B. No. 24. A Bill for an Act to amend Section 1520 of the Political Code of the State of Montana, relating to the duties of the State Superintendent of Public Instruction regarding the revocation of State or Life Diplomas and the issuance of temporary State Certificates.

Referred to Committee on Education.

By Morris: H. B. No. 25. A Bill for an Act to provide for Fire Escapes from hotels, lodging houses and rooming houses and providing a penalty for the violation thereof.

Referred to Committee on Affairs of Cities.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were given:

By Goff: A Bill for an Act entitled an Act to provide for the designation of an estray paper, and to provide for the publishing of estray notices in the same.

By Goff: A Bill for an Act entitled: An Act to amend Section 2945 of the Political Code, relating to Butchers.

By Wendel: A Bill for an Act entitled "An Act authorizing City and Town Councils to provide for and regulate the inspection and measuring of gas and of electric light and power."

By Beckwith: A Bill to create the Fourteenth Judicial District to be composed of Ravalli County.

By Manchester: A Bill relating to an Act approved March 5th, 1902, relating to the extension of Franchises granted by Cities and Towns.

By Brewster: A Bill for an Act to provide for the inspection of cattle to be removed from the State of Montana.

By Macaulay: A Bill entitled: A Bill for an Act to require paddle wheels or screens to be placed in all ditches and canals for the protection of fish.

By Shaw, by Request: A Bill for an Act regulating the granting of new trial in Civil and Criminal Proceedings.

By Whiteside: A Bill for an Act to regulate and establish primary elections for the nomination of elective officers and to permit electors of the State to express their preference for Candidates for the office of United States Senator, and to repeal all acts in conflict therewith.

By Whiteside: A Bill for an Act to regulate and limit the hours of labor of Railroad employees.

By Moore: A Bill for an Act entitled "An Act creating a commission to revise and Codify the Laws of Montana, defining its duties, providing for the publication and distribution of its reports and providing for its compensation."

By Farmer, by Request: A Bill for an Act to amend Sections 11, 20 and 27 of House Bill No. 145, approved March 2nd, 1903, relating to public highways, and to repeal Sections 13 and 19 of said Act.

By Weed: A Bill for an Act to enable the State to purchase five hundred maps for State and School purposes.

By Cameron: A Bill for an Act entitled "An Act to prevent live stock from running at large in the Public lanes and highways.

By Miller of Park: A Bill for an Act entitled "An Act to amend Section No. 2441 of the Penal Code relating to witnesses in Criminal Actions.

By Brownlee: A Bill for an Act entitled an Act requiring all Railroad Companies in the State of Montana to stop all regular passenger trains at each County seat located on the line of said roads in Montana.

By Blewett: A Bill for an Act to amend Section 3860 and 3866 of the Political Code of the State of Montana, as the same are now in force under Amendment by an Act entitled "An Act to amend Section 3866 of Article II of Chapter VIII of the Political Code of the State of Montana, relating to the collection of property taxes." Approved March 7th, 1899, and also to amend Section 3867 of said Political Code relating to the time the County Treasurer must attend at the office of the County Clerk with the duplicate assessment book to be there compared with the original and to amend an Act entitled "An Act to amend Section 3873 of the Political Code of the State of Montana, relating to the publication of delinquent taxes, and to make the same more explicit." Approved February 28, 1901, and to provide a different time for the payment of property taxes.

Respectfully,

NATHAN GODFREY, Chief Clerk.

The following Bills were read first and second times:

S. B. No. 9, by Tooley: A Bill for an Act to amend Section 1520 of the Political Code of the State of Montana, relating to the duties of the State Superintendent of Public Instruction regarding the revocation of State or Life Diplomas, and the issuance of temporary State Certificates.

Referred to Committee on Education.

S. B. No. 10, by Romney: A Bill for an Act creating the Fourteenth

Judicial District of the State of Montana to be composed of the County of Ravalli, and providing for the appointment of a Judge thereof.

Referred to Committee on Judiciary.

S. B. No. 11, by McCone: A Bill for an Act to amend Section 4064 of the Political Code of the State of Montana as amended by an Act approved March 4th, 1901, relating to licenses and to repeal Section 4072 of the same Code relating to professional Licenses.

Referred to Committee on Finance and Claims.

S. B. No. 12, by Sanders: An Act to regulate the hours of labor of Locomotive Engineers, Locomotive Firemen, Conductors, Trainmen, Operators and Agents acting as Operators, and to provide a penalty for the violation thereof.

Referred to Committee on Labor and Capital.

S. B. No. 13, by Donlan: An Act to amend an Act entitled "An Act to amend the Act entitled 'An Act to prevent wrongs to children and dumb animals and to establish a bureau of Child and Animal Protection, approved March 7th, 1903, and repealing Sections 1, 2, 3, 4, 5, 6, 7, and 8 of said Act approved March 4th, 1905.

Referred to Committee on Public Morals.

It being the Second Tuesday after the meeting and organization of the Tenth Legislative Assembly, on motion of White it was ordered that the Senate by viva voce vote of each Senator present, proceed to elect a Senator in the Congress of the United States for the term expiring March 4th, 1903, to succeed Senator W. A. Clark, and thereupon the Senate proceeded to vote in accordance with the provisions of Section XV, Title XI, Chapter I, of the Revised Statutes of the United States, with the following result:

Whole number of votes cast 27.

For Honorable Joseph M. Dixon: Albright, Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Metcalf, Miles, McCone, McDonnell, McLean, Rae, Sanders, Tooley, White.—18.

For Honorable J. K. Toole: Cardwell, Glidden, Haviland, Martien, McCarthy, Romney, Truscott.—7.

For Honorable H. L. Frank: Long, Muffly.—2.

White moved that the Judiciary Committee be authorized to employ a clerk to be at the disposal of the Senate when not employed by that Committee.

Motion carried.

Adjourned until 11 o'clock A. M. tomorrow morning.

H. K. HOWRY, Secretary.

TENTH DAY

Helena, Montana, January 16th, 1907.

Senate convened at 11 o'clock A. M.

President in the chair.

Roll called, quorum present.

Prayer by the Chaplain.

Journal read and approved.

Senator McCarthy reported for roll call.

The following messages from the House of Representatives were received and read:

House of Representatives, Helena, Montana, January 15th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bill was introduced and placed on file:

By Macaulay: H. B. No. 42. A Bill for an Act entitled "An Act to create a board of Police Commissioners in cities having more than twenty-five thousand inhabitants; defining the powers and duties of said commissioners, and fixing their terms of office and compensation."

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 15th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bill was taken from the file: H. B. No. 42, read first and second times by title only, and referred to committee on Affairs of Cities.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 15th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following is the vote taken on the election of a United States Senator to succeed the Honorable W. A. Clark for the term expiring March 4th, 1913.

For Dixon, 52.

Gov. Toole, 10.

H. L. Frank, 4.

W. G. Conrad, 2.

Edwin Norris, 1.

Not voting and absent, Potter, Scallon, Selway and Thompson of Fergus.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 15th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were taken from the file:

H. B. No. 26, read first and second time by title only, and referred to Committee on Livestock and Public Ranges.

H. B. No. 27, read first and second times by title only, and referred to Committee on Livestock and Public Ranges.

H. B. No. 28, read first and second times by title only, and referred to Committee on Livestock and Public Ranges.

H. B. No. 29, read in full, and referred to Printing Committee.

H. B. No. 30, read first and second times by title only, and referred to Committee on Railroads and Transportation.

H. B. No. 31, read first and second times by title only, and referred to Committee on Livestock and Public Ranges.

H. B. No. 32, read first and second times by title only, and referred to Committee on Livestock and Public Ranges.

H. B. No. 33, read first and second times by title only, and referred to Committee on Affairs of Cities.

H. B. No. 34, read first and second times by title only, and referred to Committee on Affairs of Cities.

H. B. No. 35, read first and second times by title only, and referred to Committee on Judiciary.

H. B. No. 36, read first and second times by title only, and referred to Committee on Judiciary.

H. B. No. 37, read first and second times by title only, and referred to Committee on Fish and Game.

H. B. No. 38, read first and second times by title only, and referred to Committee on Education.

H. B. No. 39, read first and second times, by title only, and referred to Committee on Affairs of Cities.

H. B. No. 40, read first and second times by title only, and referred to Committee on Highways.

H. B. No. 41, read first and second times by title only, and referred to Committee on Apportionment and Representation.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 15th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following bills were given:

By Miller of Park: A Bill for an Act entitled "An Act giving to lessors of Farm Lands a lien upon the crops grown upon the leased premises for rent of such premises."

By Duncan: A Bill for an Act to regulate the shipment of freight, to require railroad companies to furnish sufficient cars to transport the same, and to provide penalties for the failure to do so.

By Marshall: A Bill for an Act authorizing County Commissioners of each County to annually levy a special tax of six-tenths of one mill on the dollar upon the assessed value of all property in the county to raise revenue for the special funds known as "State Bounty Fund", "Sheep Inspection and Indemnity Fund", "Stock Inspector and Detective Fund", and "Stock Indemnity Fund", to provide for the apportionment of said special tax to said special funds and for the control, use and disposition of said funds; and to repeal Sections 2990, 3016 and 3076 of the Political Code together with all amendments

to each of said Sections and to repeal Section 27 of Chapter 45 of the Laws of 1905.

By Gray: A Bill to amend Sections 280, 281 and 282, Code of Civil Procedure, relating to the summoning of jurors for Courts of Record.

By Gray: A Bill to repeal Sections 4072, 4073, 4075, 4079 and 4080 and to amend Sections 4062, 4063, 4064, 4065, 4067, and 4068 of the Political Code relating to professional and useful occupation license.

By Marshall, by Request: A Bill for an Act entitled "An Act to provide for the appointment of a State Veterinary Medical Examining Board, describing their powers and duties, and regulating the practice of veterinary medicine within the State of Montana.

By Weed: A Bill for an Act to amend Sections 2480 to 2491 inclusive, Chapter IV, Part II, of the Criminal Code of Montana relating to the examination of witnesses conditionally.

By Manchester: A Bill relating to Sections 535 and 536 of the Penal Code of the State of Montana.

By Miles: A Bill to create the Fourteenth Judicial District, the same to be composed of the County of Ravalli.

By Morgan: A Bill for an Act to amend Section 1 of an Act entitled "An Act to create the County of Sanders, designate its boundaries, and provide for its organization and government, "Approved February 7th, 1905."

By Miller of Lewis and Clark: A Bill for an Act making it a misdemeanor for State Officers, Board of Trustees, Commissioners or Managers, except as relates to care of inmates of Insane Asylum or State Prison, and providing penalties for violation of same.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 15th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that H. B. No. 17, referred to Committee on Affairs of Cities, unanimously recommend that said Bill be passed, as amended, and same was referred back to said Committee for revision.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 15th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Miss Bernice Bushnell, Miss Stella M. McRae and Mr. W. J. Grover have been selected as clerks.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 15th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced and placed on file:

By Cameron: H. B. No. 26. A Bill for an Act entitled "An Act to prevent Livestock running at large in the Public Lanes and Highways.

By Goff: H. B. No. 27. A Bill for an Act entitled "An Act to provide

for the designation of an estray paper, and to provide for the publishing of estray notices in the same.

By Committee on Appropriations: H. B. No. 29. A Bill for an Act to appropriate moneys for the payment of mileage and per diem for the members of the Tenth Legislative Assembly of the State of Montana; also for the payment of per diem of the officers and attaches thereof.

By Brownlee: H. B. No. 30. A Bill for an Act entitled "An Act requiring all Railroad Companies in the State of Montana to stop all regular passenger trains at each county seat located on the line of said roads in the State of Montana, and providing penalties for the violation thereof.

By Brewster: H. B. No. 31. A Bill for an Act entitled "An Act to protect the owners of horses, and to cause the inspection of the same.

By Brewster: H. B. No. 32. A Bill for an Act to provide for the inspection of cattle to be removed from the State of Montana.

By Manchester: H. B. No. 33. A Bill for an Act entitled "An Act relating to the number of Deputies allowed County Auditors in Counties of the First Class, and fixing the compensation of the same."

By Manchester: H. B. No. 34. A Bill for an Act entitled "An Act to amend an Act approved March 5th, 1903, entitled "An Act relating to the granting of franchises by Cities and Towns, and providing a submission of the question of granting any franchise to the resident freeholders whose names shall appear on the City or County tax roll preceding such elections," and providing for the extension of said franchises under certain conditions.

By Marshall: H. B. No. 35. A Bill for an Act entitled "An Act to amend House Bill No. 143 of the Session Acts of the Seventh Legislative Assembly of the State of Montana of the year 1901, being an Act entitled an Act to amend Section Thirty-two, Title one, Part one, Chapter four, of the Code of Civil Procedure, and to provide for an additional Judge for the Second Judicial District of the State of Montana, and to provide for an additional Judge for the Fourth Judicial District of the State of Montana.

By Miller of Park: H. B. No. 36. A Bill for an Act entitled "An Act to amend Section 2441 of the Penal Code relating to witnesses in criminal actions.

By Macaulay: H. B. No. 37. A Bill for an Act to require paddle wheels or screens to be placed in all ditches and canals for the protection of fish.

By Weed: H. B. No. 38. A Bill for an Act to enable the State of Montana to purchase 500 maps for State and School purposes.

By Wendel: H. B. No. 39. A Bill for an Act entitled "An Act authorizing City and Town Councils to provide for and regulate the inspection and measuring of gas and of electric light and power.

By Farmer: H. B. No. 40. A Bill for an Act to amend Sections 11, 20 and 27 of House Bill No. 145, passed by the Eighth Legislative Assembly of the State of Montana, approved March 2, 1903, relating to public highways, and to repeal Sections 13 and 19 of said Act.

By Gray: H. B. No. 41. A Bill for an Act entitled "An Act to provide for apportionment of Membership and Representation of the several counties of Montana in the House of Representatives of Legislative Assemblies of Montana, and to fix the number of members thereof.

Respectfully,

NATHAN GODFREY, Chief Clerk.

Moved by Sanders that the Senate employ an additional watchman.

Motion carried.

Moved by Tooley that Mr. J. R. Franklyn be employed as such watchman.

Motion carried.

Judiciary Committee reported as follows:

Senate Chamber, January 16, 1907.

Mr. President:

Your "Committee on Judiciary" beg leave to report that they have employed Miss Freida Agatz as Clerk for the "Committee on Judiciary", with the understanding that she may be assigned to any other duties when not employed by such Committee.

WHITE, Chairman.

Following notices of introduction of bills were given:

By Martien: A Bill for an Act providing furnishing cabooses with conveniences.

By Everett: An Act to amend Section 1270, 1355, 1360, 1408, 1410, 1412, 1413 and 1414 of the Political Code of the State of Montana, and Sections 1354 and 1361, of the same Code, as amended by House Bill No. 59, of the Laws of 1901, Approved March 7, 1901, relating to Ballots, Voting and Election Returns and Providing further protection for the Voter while preparing his Ballot and casting the same.

By Annin: A Bill for an Act entitled An Act to prevent the obstruction, blockading or interfering with the free use of Public Highways where the said Highways cross any railroad track outside of incorporated Cities and Towns within the State of Montana, and providing a penalty therefor.

By Annin: A Bill for an Act entitled An Act to amend Section 4, of An Act entitled An Act relating to Municipal indebtedness and repealing sections 4970, 4971, 4972, 4973, 4974, 4975, 4976, 4977, 4978, 4979, 4980, 4981, of the Political Code of the State of Montana, approved March 6th, 1897.

The following communication from His Excellency, Governor Joseph K. Toole, was received and read:

Executive Office, Helena, Montana, January 16, 1907.

To the President of the Senate,

Senate Chamber, Helena, Montana.

I have the honor to transmit herewith the names of certain persons appointed in vacation to fill certain offices, subject to the consent of the Senate, to-wit:

To be a member of the Board of Trustees of the Miscellaneous Department of the Historical Society of Montana—J. M. Boardman, of Lewis and Clark County, appointed March 4, 1905, vice Conrad Kohrs, resigned.

To be members of the State Board of Horticulture—T. T. Black, of Jefferson County, appointed March 13, 1905. Robert N. Sutherlin, of Cascade County, appointed March 6, 1906. W. J. Tiedt, of Ravalli County, appointed April 24, 1906.

To be a member of the Board of Managers of the Soldiers Home—Martin Maginnis, of Lewis and Clark County, appointed April 14, 1905.

To be State Inspector of Coal Mines—J. B. McDermott, of Lewis and Clark County, appointed November 28, 1905.

To be members of the State Board of Education—J. M. Evans, of Missoula County, appointed February 26, 1906.

O. W. McConnell, of Lewis and Clark County, to fill unexpired term of N. W. McConnell, resigned, appointed November 8, 1906. C. R. Leonard, of Silver Bow County, appointed November 8, 1906.

J. K. TOOLE, Governor.

Moved by Donlan that the appointments by the Governor be confirmed and approved.

Motion carried.

Recess until 11:55 A. M.

Senate reconvened.

President in the Chair.

Roll called. Quorum present.

On motion of White it was ordered that the Senate repair to the House Chamber to meet with the House in Joint Assembly for the purpose of participating in a joint session relating to the election of a United States Senator, and that on the dissolution of the Joint Assembly the Senate stand adjourned until 2 P. M. tomorrow.

Whereupon the Senate proceeded to the House Chamber, and at the conclusion of the Joint Assembly adjourned until 2 P. M. tomorrow.

H. K. HOWRY, Secretary.

ELEVENTH DAY

Helena, Montana, January 17th, 1907.

Senate convened at 2 o'clock P. M.

President in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Printing Committee reported as follows:

Senate Chamber, Helena, Montana, January 17th, 1907.

Mr. President:

Your Committee on Printing begs leave to report that the Senate Rules of the Tenth Legislative Assembly, have been printed and are ready for distribution.

SANDERS, Chairman.

Senate Chamber, Helena, Montana, January 17th, 1907.

Mr. President:

Your Committee on Printing to whom was referred Senate Bill Numbered 4, beg leave to report that the same has been correctly printed.

Respectfully submitted,

SANDERS, Chairman Committee on Printing.

Report adopted and Bill placed on General File.

Committee on Public Morals reported as follows:

Senate Chamber, Helena, Montana, January 17th, 1907.

Mr. President:

Your Committee on Public Morals, to whom was referred Senate Bill No.

13. a Bill for an Act to amend an Act entitled "An Act to prevent wrongs to Children and dumb animals and to establish a Bureau of Child and Animal Protection, approved March 7th, 1903; and repealing Sections 1, 2, 3, 4, 5, 6, 7, and 8 of said Act approved March 4th, 1905, have had the same under consideration and recommend that the same do pass.

CARDWELL, Chairman.
TOOLEY.

Report approved, Bill referred to Printing Committee.

House of Representatives, Helena, Montana, January 15th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Conference Committee, appointed to meet with a like Committee from the Senate for the purpose of deciding as to the number of copies of the Governor's Message to be printed, beg leave to report as follows:

That 1,000 copies of the Message be printed; 300 for the use of the House, 200 for the use of the Senate, and 500 for miscellaneous purposes. Five Hundred copies of the Special Message with statement showing the financial condition of the State, estimates and Contingent Expenses, etc., were printed for the use of the Senate, and by agreement 300 copies of these were given to the House for its use."

H. N. BLAKE, Chairman.

Adopted.

Respectfully,
NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 16th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were taken from the File:

H. B. No. 47, read first and second times by title only, and referred to Judiciary Committee.

H. B. No. 48, read first and second times by title only, and referred to Judiciary Committee.

H. B. No. 49, read first and second times in full, and referred to Committee on Appropriations.

H. B. No. 50, read first and second times by title only, and referred to Committee on Affairs of Cities.

H. B. No. 51, read first and second times in full and withdrawn.

H. B. No. 52, read first and second times by title only, and referred to Committee on Townships and Counties.

H. B. No. 53, read first and second times by title only, and referred to Judiciary Committee.

H. B. No. 54, read first and second times by title only, and referred to Committee on Sanitary Affairs.

H. B. No. 55, read first and second times in full and referred to Committee on Appropriations.

H. B. No. 56, read first and second times by title only, and referred to Committee on Labor.

H. B. No. 1, read second time in full, and re-referred to Committee on Railroads and Transportations.

Respectfully,
NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 16th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Resolution, by Weed, was adopted: Resolved, that the Chief Clerk of the House be instructed to prepare twice each week, a card, showing the present position of all House Bills and Joint Resolutions and Senate Bills and Resolutions in the House; and that the same be printed for the use of the House and Senate.

Respectfully.

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 16th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Miss Elizabeth Lawler, and Mrs. E. M. Ray have been appointed Clerks.

Respectfully.

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 16th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills have been given:

By Miller of Park: A Bill for an Act to regulate the hours of labor of Locomotive Engineers, Locomotive Firemen, Conductors, Trainmen, Operators and Agents acting as Operators, and to provide a penalty for the violation thereof.

By Bennett of Madison: A Bill abolishing the offices of State Game and Fish Warden and of Stock Detectives, repealing the acts creating the same and providing for the election of a Stock and Game Detective in each County of the State, fixing the salaries of same and manner of payment, also, providing for the disposition of money now in the Fish and Game Fund.

By Gray: A Bill amending House Bill No. 145 of the 1905 Session Laws, relating to public Roads and Highways, and providing for the establishment of Road Districts and the election of Road Supervisors therefor by vote of the electors of such road districts.

By Swindlehurst: A Bill for an Act entitled "An Act amending Section 2941 of Article I, Part III, Title VII, of the Political Code of the State of Montana, relating to the report of marks and brands, and providing a charge for such services.

Respectfully.

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 16th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced:

By Leighton: H. B. No. 43. A Bill for an Act entitled "An Act appropriating money for the completing, furnishing, and equipping of the building for the feeble minded at the Montana School for the Deaf and Blind at Boulder, Montana, and for the fittings and furnishings of the Industrial Building and Gymnasium or the feeble minded at the Montana School for the Deaf and Blind at Boulder, Montana, and for the erection and equipment of an additional building for Hospital and other purposes at said institution and also

for the farm connected with the Montana School for the deaf and blind at Boulder, Montana."

Read in full, first and second times and referred to Committee on Appropriations.

By Boorman: H. B. No. 44. A Bill for an Act entitled "An Act to authorize the construction, furnishing and equipping, including plumbing and architects fees, at the Montana Soldiers Home, at Columbia Falls. To provide for the Heating plant for the heating of all buildings at said Soldier's Home, including said Hospital Building. To provide for the improvement of the Cemetery grounds and the erection of a central monument in said Cemetery, of Montana Soldier's Home, and appropriating therefor."

Read in full first and second times, and referred to Committee on Appropriations.

By Whiteside: H. B. No. 45. An Act to provide for the creation and organization of Irrigation districts. To provide for the election of three directors in each District, defining the duties and powers of such directors, and fixing their compensation. To authorize the issuance of Bonds and fixing the duration, character and form of said bonds, and making said bonds a lien upon the particular lands for the irrigation of which said bonds are issued. Providing for the assessment of lands in such irrigation districts for the payment of the principal and interest of said bonds and for the administration expenses of said irrigation districts, and the maintenance of all irrigation works in such districts. To provide for the equalization of all district assessments by the directors of said districts. To provide for appeals from all decisions of the directors of irrigation districts. Making the County Treasurer in the counties where such districts are organized the custodian of all funds and securities belonging to said districts. Providing for the sale of lands for delinquent assessments and the manner the same may be redeemed. To provide for the extension of such irrigation districts and the adjustment and payment of all differences between the new and old portion of such districts. To provide for the sale of water by any one district to any other district and fixing the manner and form of payment therefor, and the manner in which differences between such districts shall be adjusted. Making and declaring the construction of all irrigation works to be a public use and granting right of way therefore over State Lands, and exemption of all such irrigation works from taxation.

Read by title only, referred Committee Irrigation and Water Rights.

By Weed: H. B. No. 46. A Bill for an Act entitled "An Act to create and establish a Board of Railroad Commissioners for the State of Montana; providing for the appointment and election of the members thereof, and defining their powers and duties, providing for the appointment of assistants, appropriating money for the enforcement of the provisions of this Act, and penalties for the violation thereof.

Read in full and referred to Committee on Railroads and Transportation.

By Miller, Lewis and Clark: H. B. No. 47. A Bill for an Act making it a misdemeanor for any State Officers, Board of Trustees, Managers or Commissioners to contract any liability or indebtedness in excess of the amount appropriated by law for such office or institution, except for the asylum for insane and penitentiary, and prescribing penalties therefor.

By Miller of Park, by Request: H. B. No. 48. A Bill for an Act giving to

lessors of farm lands a lien upon the crops grown upon the leased premises for the rent of such premises.

By Hyndman: H. B No. 49. A Bill for an Act appropriating money for the purchasing and erecting in the main hall of the Capital a Bronze Tablet, to the memory of Captain James Williams.

By Manchester: H. B. No. 50. A Bill for an Act entitled: An Act to repeal Sections 535 and 536 of the Penal Code of the State of Montana, and to enact other Sections in lieu thereof.

By Potter: H. B. No. 51. A Bill for an Act entitled: An Act to appropriate moneys for the payment of mileage and per diem for the members of the Tenth Legislative Assembly of the State of Montana; also for the payment of per diem of the officers and attaches thereof.

By Morgan: H. B. No. 52. A Bill for an Act to amend Section one of an Act entitled An Act to create the County of Sanders, designate its boundaries and provide for its organization and government, approved February 7th, 1905.

By Shaw: H. B. No. 53. A Bill for an Act regulating the granting of new trials in civil and criminal proceedings.

By Marshall: H. B. No. 54. A Bill for an Act entitled "An Act to provide for the appointment of a State Veterinary Medical Examining Board, describing their powers and duties and regulating the practice of veterinary medicine within the State of Montana.

By Committee on Appropriations: H. B. No. 55. A Bill for an Act entitled an Act authorizing the payment of certain claims for bounty and appropriating money from the State Bounty Fund for the payment thereof.

By Whiteside: H. B. No. 56. A Bill for an Act entitled "An Act to limit the hours of employment of persons engaged in the operation of railroad trains, limiting the hours of labor of telegraph operators, trick dispatchers, express messengers, and fixing the penalties for the violation of this Act. Exempting co-employees from assuming any liability by reason of working with fellow employees who may be employed in violation of this act and making all persons, corporations, or companies violating this act liable for all damage resulting therefrom.

Respectfully.

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 17th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were given:

By Goff: A Bill for an Act entitled "An Act to repeal Sections 4060, 4061, 4064, 4070, 4071, 4072, 4073, 4074, 4075, 4076, 4078, 4080, 4081, and 4082, of the Political Code relating to licenses of certain trades and occupations.

By Towers: A Bill for an Act entitled "An Act to amend Sections 1990, 3289 of the Political Code, relating to Arbor Day."

Respectfully.

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 17th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Allen submitted the following motion and the same was carried: "That hereafter the

Journal Committee be instructed to read the Journal and report each day to the House."

Respectfully.

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 17th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that on motion of Allen, that 500 copies of Rules as last amended be printed. Was carried.

Respectfully.

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 17th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 29, has been read a third time, and passed by the House and is herewith transmitted for your concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 17th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Committee on Rules have submitted the following report; same was adopted and referred to Printing Committee.

Section L. That Rule No. 1 be amended by adding the following:

"Loud talk or smoking shall be discontinued on request of the Speaker."

Section 2. That Rule 37 be amended by adding the following words:

"Provided, however, that bills creating offices, boards, etc., need not, on first and second reading, be read in full, but that only the title of the bill, together with the section or sections making such appropriations, need be read."

BENNETT, Chairman.

Respectfully,

NATHAN GODFREY, Chief Clerk.

The following Bills were introduced and read first and second times:

S. B. No. 14: By Martien. An Act to amend Section 32 of the Code of Civil Procedure of the State of Montana, as said Section is amended by Act approved March 11, 1901, entitled, "An Act to amend Section 32, Title I, Part I, Chapter LV of the Code of Civil Procedure, and to provide for an additional Judge for the Second Judicial District of the State of Montana relating to the election and term of office of District Judges.

Referred to Judiciary Committtee.

S. B. No. 15, by Annin: An Act entitled "An Act to prevent the obstruction, blockading, or interfering with the free use of public highways where the said highways cross any railroad track outside of incorporated cities and towns within the State of Montana, and providing a penalty therefor."

Referred to Committee on Roads, Highways and Bridges.

S. B. No. 16, by Annin: A Bill for an Act to amend Section 4 of an Act entitled "An Act relating to Municipal indebtedness and repealing Sections 4970, 4971, 4972, 4973, 4974, 4975, 4976, 4977, 4978, 4979, 4980, and 4981 of the Political Code of the State of Montana, Approved March 6, 1897."

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 29, introduced by Committee on Appropriations: A Bill for an Act to appropriate moneys for the payment of mileage and per diem for the members of the Tenth Legislative Assembly of the State of Montana; also for the payment of per diem of the officers and attaches thereof.

The following notices of introduction of Bills were given as follows:

By White: A Bill for an Act to amend Section 4632, Part IV, Title II, of the Political Code of the State of Montana, relating to fees of Notary Public.

By Truscott: A Bill for an Act entitled, "An Act providing for the inspection of cattle to be removed from the State of Montana upon any railway or railroad."

By Bielenberg: A Bill for an Act authorizing and directing the transfer of all records and papers in any action or proceeding affecting real property in any new county heretofore created or hereafter created and providing the method of transferring and certifying such records.

Moved by White that the Sergeant-at-Arms be instructed to see that all book agents, solicitors, etc., be excluded from the floor of the Senate.

Motion carried.

Moved by Everett that the Sergeant-at-Arms be instructed to have all Bills punched and ready for the files.

McCarthy excused tomorrow.

Adjourned until 11 A. M. tomorrow.

H. K. HOWPY, Secretary.

TWELFTH DAY

Helena, Montana, January 18th, 1907.

Senate convened at 11 A. M.

President in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Senators Everett and McLean excused.

Journal read and approved.

Committee on Finance and Claims reported as follows:

Senate Chamber, Helena, Montana, January 18th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred Senate Bill numbered 11, beg leave to report as follows: That they have had had the same under consideration and recommend that the bill do pass.

Respectfully submitted,

McCONE, Chairman Committee on Finance and Claims.

Report approved and Bill referred to Committee on Printing.

Senate Chamber, Helena, Montana, January 18th, 1907.

Mr. President.

Your Committee on Finance and Claims to whom was referred House Bill

numbered 29, beg leave to report as follows: That they have had the same under consideration and recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman Committee on Finance and Claims.

Report approved. Bill referred to General File.

Committee on Education reported as follows:

Senate Chamber, Helena, Montana, January 18th, 1907.

Mr. President:

Your Committee on Education to whom was referred Senate Bill numbered 9, beg leave to report as follows: That they have carefully considered Senate Bill number 9 and recommend that it do pass.

Respectfully submitted,

C. P. TOOLEY, Chairman Committee on Education.

Report adopted and referred to Committee on Printing.

A communication from his Excellency, the Governor, dated January 18th, 1907, relating to an act of Congress entitled "An Act to provide for an increased annual appropriation for Agrictultural Experiment Stations and regulating the expenditure thereof," approved March 16th, 1906, was read and referred to Committée on Finance and Claims.

Also, a communication enclosing a copy of a concurrent Resolution adopted by the Legislature of the State of New York was read and referred to Committee on Public Morals.

The following communications from the House of Representatives received and read:

House of Representatives, Helena, Montana, January 17th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced:

By Swindlehurst: H. B. No. 57. An Act entitled "An Act amending Section 2941 of Article I, Part III, Title VII, of the Political Code of the State of Montana, relating to the recording of marks and brands and providing a charge for such service."

Read first and second times and referred to Committee on Live Stock and Public Ranges.

By Miller of Park: H. B. No. 58. A Bill for "An Act to regulate the hours of labor of Locomotive Engineers, Locomotive Firemen, Conductors, Trainmen, Operators, and agents acting as Operators, and to provide a penalty for the violation thereof."

Read first and second times, referred to Committee on Labor.

By Marshall: H. B. No. 55. A Bill for an Act authorizing County Commissioners of each County to annually levy a special tax of six tenths of one mill on the dollar upon the assessed value of all property in the County, to raise revenue for the special funds, known as the "State Bounty Fund," "Sheep Inspection and Indemnity Fund," "Stock Inspector and Detective Fund", and "Stock Indemnity Fund." To provide for the apportionment of said special tax to said special funds, and for the control, use and disposition of said funds; and to repeal Sections 2990, 3016, and 3076 of the Political Code together with all amendments to each of said Sections and to repeal Section 27 of Chapter 45 of the laws of 1905.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 17th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Committee on Rules and Joint Rules, report as follows: That the Rules be further amended by adding one new paragraph, or Paragraph No. 3 to Rule 18, as follows:

"All requests for the appointment of clerks by chairmen of Committees shall be made through the Committee on Employees, and not otherwise, but the right of the Chairman of Committees that are entitled to a clerk, to select the same shall not be abridged.

All Clerks shall be subject to the order of the Chief Clerk when not occupied by the work of the Committees."

Report adopted.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 17th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following named persons have been appointed Clerks: Mrs. F. L. Shelton, Miss Josephine Rader, Miss Lottie Hardee.

Respectfully,

NATHAN GODFREY, Chief Clerk.

The following Bills were read first and second times:

S. B. No. 17, by Bielenberg: A Bill for an Act authorizing and directing the transfer of all records and papers in any action or proceeding affecting Real Property in any New County heretofore created, or hereafter created, and providing the method of transferring and certifying such records.

Referred to Committee on Counties, Towns and Municipal Corporations.

S. B. No. 18, by Truscott: An Act entitled "An Act providing for the inspection of cattle to be removed from the State of Montana upon any Railway or Railroad."

Referred to Committtee on Stockgrowing and Grazing.

S. B. No. 19, by White: A Bill for an Act appropriating money for the payment of M. S. Gunn for legal services rendered in the matter of litigation involving the validity of bonds issued and to be issued against the State Normal College Land Grant.

Referred to Committee on Finance and Claims.

S. B. No. 20, by White: A Bill for an Act to amend Section 4632, Part IV, Title II, of the Political Code of the State of Montana relating to fees of Notaries Public.

Referred to Judiciary Committee.

The following Notices of Introduction of Bills were given:

By Romney: A Bill or Bills providing that not less than nine months school shall be held in all districts of the First and Second Classes; providing the necessary funds therefor, and repealing all laws in conflict with such provision.

By Donlan: A Bill for an Act to amend Section 552 of Article 14 of Chapter 3 of Title I, of Part 3 of Political Code.

By White: A Bill for an Act entitled An Act to amend Chapter 32 of the laws of 1903 relating to annual reports of corporations.

By Annin: A Bill for an Act entitled An Act to enable Cities and Towns incorporated under the laws of this State to fix the rates and charges for the supply of water furnished by any individual, company or corporation, to any such City or Town and the inhabitants thereof.

By Annin: A Bill for an Act entitled An Act to enable Cities and Towns incorporated under the laws of this state to fix the rates and charges for the supply of lights, furnished by any individual, company or corporation to any such City or Town or the inhabitants thereof.

The following Senate Concurrent Resolution number three by Donlan was offered and read:

Be it resolved, by the Senate, the House Concurring, that after the expiration of the forty-fifth day of the Tenth Legislative Assembly, that no bills of any kind or character be permitted to be introduced in either the Senate or House, without the unanimous consent of each the Senate and the House first given.

Provided, however, that this shall not apply to appropriation bills, introduced by the Appropriation Committee of the House or the Finance Committee of the Senate, the said respective Committees, however, are instructed and requested to use all possible diligence to the end that all Bills appropriating money shall be introduced before the expiration of the forty-fifth day of this Session.

Moved by Donlan that the above resolution be adopted.

Motion carried. Resolution adopted.

On motion of White Senate resolved itself into Committee of the Whole to consider business on the General File.

On motion of Miles, White was designated Chairman of Committee of the Whole.

Committee arose.

Chairman of Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, January 18th, 1907.

Mr. President:

Your Committee of the Whole, having had under consideration the General File of Bills instruct me to report and recommend that H. B. 29 be concurred in.

That S. B. 4 do pass.

WHITE, Chairman.

Report adopted and S. B. No. 4 referred to Committee on Engrossed Bills.

H. B. No. 29, referred to calendar for third reading.

H. B. No. 29, was read a third time and concurred in by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Fairbanks, Harper, Haviland, Long, Metcalf, Miles, Muffly, McCone, McDonnell, Rae, Romney, Sanders, Tooley, Truscott, White.—22.

Noes—None.

Absent and not voting—Everett, Glidden, Martien, McCarthy, McLean.—5.

Title agreed to.

Adjourned until 2 P. M. Monday.

H. K. HOWRY, Secretary.

FIFTEENTH DAY

Helena, Montana, January 21st, 1907.

Senate convened at 2 P. M.

President in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Senators White, Fairbanks, Martien, Metcalf and Everett excused.

Journal read and approved.

A petition from the Billings Chamber of Commerce to pass a proper Railway Commission Law was received, read, referred to Committee on Railroads and Transportation.

Committee on Mines and Mining reported as follows:

Senate Chamber, Helena, Montana, January 21st, 1907.

Mr. President:

Your Committee on Mines and Mining to whom was referred Senate Bill No. 6, respectfully report back and recommend that the same do pass.

Respectfully,

W. W. HARPER, Chairman.

Report adopted and Bill referred to Printing Committee.

The following communications from the House received and read:

House of Representatives, Helena, Montana, January 18th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Resolution by Weed was adopted:

Resolved, that the Honorable Senate be requested to grant the House the use of one of its committee rooms.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 18th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following notices of Bills were given:

By Tudor: A Bill for an Act to authorize the erecting and equipping of a building at the Montana Agricultural College and Experiment Station at Bozeman, Montana, to be used by the Departments of Agriculture, Horticulture, Animal Husbandry, Veterinary and Domestic Science, and to provide an appropriation therefor.

By Gray: A Bill providing for fixing a maximum rate to be charged by any gas or Electric Light company.

By Towers: A Bill to authorize the construction of the Girl's Building at the State Reform School and to construct a Hospital at such Reform School, and to appropriate money for all said purposes.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 18th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were taken from the file:

H. B. No. 60, read first and second times, in full.
H. B. No. 61, read first and second times in full.
H. B. No. 62, read first and second times, in full.
H. B. No. 63, read first and second times, in full.
H. B. No. 64, read first and second times, in full.
H. B. No. 65, read first and second times, in full.
H. B. No. 66, read first and second times, by title only.
H. B. No. 67, read first and second times, in full.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 18th, 1907.

Mr. President:

I am directed to inform your Honorable Body that the following Bills were introduced and placed on file:

By Goff: H. B. No. 60. A Bill for an Act entitled "An Act to repeal Sections 4060, 4061, 4064, 4070, 4072, 4073, 4074, 4075, 4076, 4078, 4079, 4080, 4081, and 4082 of the Political Code, relating to licenses of certain trades and occupations."

By Committtee on Appropriations: H. B. No. 61. A Bill for an Act appropriating money for the payment of deficiency claims of certain persons for services rendered and supplies furnished the State Reform School.

By Committee on Appropriations: H. B. No. 62. A Bill for an Act making appropriation for the incidental expenses of the Tenth Legislative Assembly of the State of Montana.

By Committee on Appropriations: H. B. No. 63. A Bill for an Act appropriating money for the payment of deficiency claims of the Public Printing for expenses incurred.

By Committee on Appropriations: H. B. No. 64. A Bill for an Act appropriating money for the payment of deficiency claims of certain persons for services rendered and supplies furnished the State Orphans Home at Twin Bridges, Montana.

By Hyndman: H. B. No. 65. A Bill for an Act appropriating money for the erecting and equipping of additional buildings for the State Orphans Home at Twin Bridges, Montana, and for the construction of a sewerage system in connection with the same.

By Gray: H. B. No. 66. A Bill for an Act entitled "An Act concerning the taxation of real estate encumbered by mortgage, deed of trust, contract, or other evidence of indebtedness."

By Committee on Appropriations: H. B. No. 67. A Bill for an Act to appropriate money for the payment of the deficiency claim of Mitchell and Mussigbrod for the care of the patients of the Insane Asylum for the year 1906.

Respectfully,

NATHAN GODFREY, Chief Clerk.

The following Bills were read first and second times:

By Donlan: S. B. No. 21. A Bill for an Act entitled An Act to amend Section 552 of Article 14, of Chapter 3, Title 1, of Part 3, of the Political Code of the State of Montana, relating to the Inspector of Boilers.

Referred to Committee on Labor and Capital.

By Annin: S. B. No. 22. An Act entitled, an Act to enable Cities and Towns incorporated under the laws of this State to fix the rates and charges for the supply of water furnished by any individuals, company or corporation to any such City or Town and the inhabitants thereof.

Referred to Committee on Counties, Towns and Municipal Corporations.

After giving notice, the President signed H. B. No. 29.

By Annin: S. B. No. 23. A Bill for an Act entitled, An Act to enable Cities and Towns incorporated under the laws of this State to fix rates and charges for the supply of lights furnished by any individual, company or corporation, to any such City or Town, and the inhabitants thereof.

Referred to Committee on Counties, Towns and Municipal Corporations.

The following Notices of Introduction of Bills were given:

By Long: A Bill relating to the selection of indemnity school lands, and lands granted to all of the State institutions of learning, and for public buildings in Montana.

By Truscott: A Bill for an Act entitled, "An Act to amend Section 1 of Chapter 29, of Session Laws of 1905, approved February 21st, 1905, entitled, "An Act to amend Section 950-953, Title VIII, Chapter III, Part IV, Division I, of the Civil Code of the State of Montana, relating to the liability of Railway Companies, for the killing or injuring of livestock."

By Glidden: A Bill for an Act, entitled An Act to create the County of Daly, establish its boundaries, and to provide for its organization and government.

By Rae: A Bill entitled: "An Act to amend Section 4120 of the Political Code of Montana, defining, the boundaries of Fergus County, so as to include the territory acquired by it under the provisions of an Act entitled "An Act providing for the extension of the northern boundary of Fergus County," approved March 14th, 1889, and to readjust the southern boundary to conform to the channel changes made and to be made in the Musselshell River.

By Rae: A Bill entitled: An Act to establish County Free High Schools, and to provide for their maintenance, and repealing "An Act to establish County Free High Schools, and provide for their maintenance, Approved March 3rd, 1899, and repealing "An Act to amend Sections 2, 3, 4, 6, 8, 11, 12, 13, 14, 16, 17, and 19, and to repeal Sections 21 and 22 of Substitute for House Bill No. 69, "An Act to establish County Free High Schools, and to provide for their maintenance." Approved March 3rd, 1899, and to re-number certain sections of said act." Approved March 14, 1901; also repealing Chapter LXIX of the Laws of 1903, entitled "An Act to amend Sections 2 and 3 of Senate Bill No. 37, as enacted by the Seventh Legislative Assembly of the State of Montana, relating to the election of the Trustees of the County Free High Schools." Approved March 5, 1903, and to validate everything done under any of said Acts of March 3, 1899, March 14, 1901, and March 5, 1903.

By Long: A Bill to amend Sections 3478, and 3490 of the Political Code of the State of Montana, as substituted and amended by House Bill No. 45, Session Laws 1899, approved March 1st, 1899, and to amend Section 3480 of the Political Code of the State of Montana, as substituted and amended by House Bill No. 45 Session Laws 1899, approved March 1st, 1899, and as amended by Chapter XXVIII of the Session Laws of 1903, approved February 25, 1903, realting to the appraisal, sale and leasing State land.

By Long, by Request: A Bill for an Act providing for the incorporation,

management and regulation of mutual companies for the insurance of the property of the members against loss or damage by fire or the elements.

By Donlan: A Bill for an Act to amend Sections 3560 and 3561 of the Political Code as amended by an Act approved March 6th, 1897, relating to timber and timber lands belonging to the State of Montana.

Adjourned until 2 P. M. tomorrow.

H. K. HOWRY, Secretary.

SIXTEENTH DAY

Helena, Montana, January 22nd, 1907.

Senate convened at 2 P. M.

President in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

A petition from the Great Falls Business and Professional men asking the Senate to do all in their power to repeal the licenses now levied upon professions and legal occupations, received, read and referred to the Committee on Finance and Claims.

Committee on Printing reported as follows:

Senate Chamber, Helena, Montana, January 22, 1907.

Mr. President:

Your Committee on Printing reports Senate Bills numbered 9 and 11 correctly printed.

SANDERS, Chairman.

Report adopted and Senate Bill No. 9 referred to General File.

On motion of McCone Senate Bill No. 11 was referred to Committee on Finance and Claims.

Committee on Labor and Capital reported as follows:

Senate Chamber, Helena, Montana, January 22nd, 1907.

Mr. President:

Your Committee on Labor and Capital to whom was referred Senate Bill No. 12, An Act regulating the hours of labor of Railway employees, having had the same under consideration, beg leave to report and recommend that the said Bill do pass.

McCARTHY, Chairman.

Reported adopted and Bill referred to Printing Committee.

Committee on Counties and Towns reported as follows:

Senate Chamber, Helena, Montana, January 22nd, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred Senate Bill Numbered 16 beg leave to report as follows: We have had the same under consideration and recommend that the same do pass.

DONLAN, Chairman.

Report approved, and Bill referred to Printing Committee.

Committee on Counties and Towns reported as follows:

Senate Chamber, Helena, Montana, January 22nd, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred Senate Bill numbered 17, beg leave to report as follows: We had the same under consideration and recommend that the same do pass.

DONLAN, Chairman.

Report adopted, and Bill referred to Printing Committee.

Albright, Chairman of Committee on Engrossed Bills, reported Senate Bill No. 4 correctly engrossed.

Report adopted and Bill referred to calendar for third reading.

The following Communications from the House were received and read:

House of Representatives, Helena, Montana, January 22nd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Miss Mamie Smith has been appointed as Clerk to the Printing Committee.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 22nd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following bills were this day received:

By Wendel: A Bill for an Act entitled "An Act to amend Section 4870 of the Political Code of the State of Montana, as amended by House Bill No. 113, entitled "An Act to amend Sections 4867, 4868, 4869, 4870, 4871, 4872, 4873, 4874, 4875, 4876 and 4877 of the Political Code of the State of Montana, relating to the taxation in Municipal Corporations." Approved March 3, 1897.

By Shaw: A Bill relating to traveling expenses of County Superintendents.

By Maxwell: A Bill for an Act to provide that electors may vote in any precinct where their duties call them on election day.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 21st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 6 and 14, have been read a third time and passed by the House, and are herewith transmitted to the Senate for their concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 21st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced and read a first and second time:

By Bennett, Madison: H. B. No. 68. A Bill for an Act to repeal Sections 2970, 2971, 2972, 2973, 2974, 2975, 2976, 2990 and 2991 of the Political Code of the State of Montana, and to repeal House Bill No. 147, Session Laws of the Seventh Legislative Assembly providing for the appointment of a State Game and Fish Warden and Special Deputy Game and Fish Warden, and to repeal Chapter Fifty-seven, Session Laws of 1905, relating to Fish and Game Li-

censes, and to provide for Stock and Game Inspectors, defining their duties and providing for their compensation, and to provide for the licensing of non-resilent hunters, and penalties for the violation of Stock and Game Laws.

By Committee on Appropriations: H. B. No. 69. A Bill for an Act entitled "An Act authorizing the payment of certain claims for bounty and appropriating money from the State Bounty Fund for the payment therefor.

By Committee on Appropriations: H. B. No. 70. A Bill for an Act appropriating money for the payment of deficiency claims of the State Encampment of 1905 of the National Guard of Montana.

By Committee on Appropriations: H. B. No. 71. A Bill for an Act appropriating money for the payment of certain deficiency claims in connection with the State Auditor's Office.

By Committee on Appropriations: H. B. No. 72. A Bill for an Act appropriating money for the payment of certain deficiency claims in connection with the State Examiner's Office.

By Marshall: H. B. No. 73. A Bill for an Act entitled "An Act to provide for the filing of transcripts of judgments from the Circuit and District Courts of the United States Ninth Circuit, District of Montana, with the District Court Clerk of any County in this State, and when so filed such judgment to become a lien upon all real property of the judgemnt debtor not exempt from execution in such County, owned by him at the time."

By Tudor: H. B. No. 74. A Bill for an Act entitled "An Act to authorize the erection and equipment of a building at the Montana Agricultural College, and Experiment Station at Bozeman, Montana, for the use of the departments of Agriculture, Horticulture, Animal Husbandry, Veterinary and Domestic Science, and making an appropriation therefor.

By Blewett: H. B. No. 75. A Bill for an Act entitled "An Act to amend Sections 3860 and 3866 of the Political Code of the State of Montana, as the same are now in force after amendment by an Act entitled "An Act to amend Section 3866 of Article II, Chapter VIII of the Political Code of Montana, relating to the collection of property taxes." Approved March 7th, 1899, and also to amend Section 3867 of said Political Code relating to the time the County Treasurer must attend at the office of the County Clerk with the Duplicate Assessment Book to be there compared with the original, and to amend an Act entitled "An Act to amend Section 3873 of Political Code of the State of Montana, relating to the publication of delinquent taxes, and to make the same more explicit," approved February 28th, 1901, and to provide a different time for the payment of property taxes.

By Whiteside: H. B. No. 76. A Bill for an Act entitled "An Act to provide for the incorporation, management and regulation of mutual Companies for the insurance of the property of the members against loss or damage by fire or the elements."

By Beckwith: H. B. No. 77. A Bill for an Act creating the Fourteenth Judicial District of the State of Montana, to be composed of the County of Ravalli, and providing for the appointment of a Judge thereof.

By Towers: H. B. No. 78. A Bill for an Act entitled "An Act to authorize, empower and direct the Board of Trustees of the Montana State Reform School at Miles City, Montana, to finish and complete the construction and furnishing of the Girl's Building at said Montana State Reform School; also to authorize, empower and direct the construction and furnishing of a

Hospital Building at said Reform School and to appropriate money for all said purposes."

By Allen: H. B. No. 80. A Bill for an Act entitled "An Act to amend Sections 9 and 10 of Article II, Section 17, 18 and 25 of Article II, Sections 29, 30 and 32 of Article 4, Section 35, Article 6, Sections 44, 47, 48 and 50 of Article 7, Section 52 of Article 8, and Section 62 of Article 9, and to repeal Section 8 of Article 2, and Section 53 of Article VII of Chapter 44 of the Session Laws of 1903, approved March 2nd, 1903, and to repeal Sections 1, 2, 3, 4 and 5, of Chapter 76, of the Session Laws of 1905, approved March 3, 1905.

By Towers: H. B. No. 79. A Bill for an Act entitled "An Act to amend Sections 1990, and 3280 of the Political Code realting to Arbor Day."

By Gray: H. B. No. 81. A Bill for an Act entitled "An Act to empower the City Council or corporate authorities of any city, town or village to regulate the rates and charges to be allowed corporations or individuals for furnishing water, gas or electricity to any such city, town or village or the inhabitants thereof and to fix the maximum rates therefor."

By Morris: H. B. No. 82. For an Act to amend Sections 2505 and 2506 of the Civil Code of the State of Montana, relating to Inn Keepers.

By Thompson of Fergus: H. B. No. 83, a Bill for an Act to establish Free High Schools and to provide for their maintenance and repealing "An Act to amend Sections 2, 3, 4, 6, 8, 11, 12, 13, 14, 16, 17, 19 and to repeal Sections 21 and 22 of Substitute for House Bill No. 69, an Act to establish County Free High Schools, and to provide for their maintenance, approved March 3, 1899, and to renumber certain Sections of said Act approved March 14, 1901; also repealing Chapter LXIX of the Laws of 1903, entitled "An Act to amend Sections 2 and 3 of Senate Bill No. 37 as enacted by the Seventh Legislative Assembly of the State of Montana, relating to the election of the trustees of the County Free High School," approved March 5, 1903; and to validate everything done under any of said Acts of March 3, 1899, March 14, 1901, and March 5, 1903.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 21st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following named persons have been appointed as clerks: Miss Edith Decker, to Committee on Irrigation and Water Rights, and State Boards and Officers; Miss Edith Gray, Committee on Engrossment, Miss Maud Clemens, Committee on Printing.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 21, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following notices of Bills were this day received:

By Logan: A Bill to provide for the taxation of incomes of residents of the State of Montana.

By Logan: A Bill entitled: "A Bill for an Act entitled "An Act to provide for the incorporation, management and regulation of mutual companies for the insurance of the property of the members against loss or damage by fire, or the elements.

By Boorman: A Bill entitled "A Bill for an Act entitled "An Act requiring all saloons and places where liquors are sold under liquor license issued under the laws of Montana to be and remain closed from and after twelve o'clock (midnight) until six o'clock the following morning."

By Seidler: A Bill for an Act to amend Section 17 of the Penal Code of Montana as amended by Chapter 39 of the Session Laws of 1905, relating to the sale of intoxicating beverages within certain limits of logging camps, saw mills, irrigation construction work and railroad grading camps."

By Morris: A Bill for an Act entitled "An Act to prevent adulteration or dilution of articles of food, drink, drug, medicine, strong, spirituous, or malt liquor, or wines or any articles useful in compounding either of them, and to prevent the sale or keeping for sale, or offering for sale thereof; and to repeal Sections 682 and 683 of the Penal Code."

By Hyndman: A Bill for an Act to regulate the sale, use and redemption of transportation tickets of common carriers and providing for the violation thereof.

By Miller of Park: A Bill for an Act to repeal Section 1313, Part II, Title X, Chapter III, of the Code of Civil Procedure of the State of Montana, and to provide for the recovery of the value of permanent improvements, which have been placed upon real estate by persons in the possession thereof, and holding the same in good faith, and under color of title.

By Miller of Park: A Bill for an Act entitled "An Act to amend Chapter VI, Title XIII, of the Penal Code of the State of Montana, relating to extortion by adding thereto, a Section to be designated as Section 924."

By Whiteside: A Bill to limit the hours of labor of railway express messengers, telegraph operators and dispatchers."

By Whiteside: A Bill to amend Chapter 58 of the Eighth Session Laws relating to the appointment of a State Entomologist; to prescribe his duties and appropriate money to pay traveling and laboratory expenses.

By Campbell of Silver Bow: A Bill for an Act to establish a Geological Survey of Montana and to make appropriations therefor.

By Brownlee: A Bill for an Act to amend Sections 1675 and 2460 of the Penal Code of Montana relating to the issuing of subpoenas by magistrates in criminal actions in justice Courts.

By Marshall: A Bill for an Act to amend Section 313 of the Penal Code relating to the distribution of public reports.

By Wendel: A Bill for an Act entitled "An Act authorizing the Board of Directors of the Montana State Fair to purchase the Grand Stand erected upon the State Fair Grounds, and appropriating money therefor."

By Weed: A Bill for an Act to amend Section 1355 of Chapter I, Part II, of the Criminal Code of Montana, relating to the rights of the defendant in Criminal Actions.

By Wendel: A Bill for an Act entitled "An Act making appropriations for the maintenance of the Montana State Fair and for permanent improvements on the grounds thereof for the fiscal years ending November 30th, 1907, and November 30th, 1908."

By Cato: A Bill for an Act amending Section 3671 of the Political Code of the State of Montana relating to property liable to taxation.

By Corby: A Bill entitled: "An Act for the better protection of employees by preventing superintendents, foremen and assistants from receiving

or soliciting any sums of money or other valuable consideration from persons while in their employ, and providing a penalty for the violation of the same.

By Miller of Lewis and Clark: A Bill for an Act requiring all Railroad Companies to keep a watchman at the grade crossings of all generally traveled streets, in towns or cities of not less than two thousand inhabitants, from six o'clock A. M. until 8 o'clock P. M. and providing penalties for failure so to do, the method of collecting such penalties and disposal of same.

By Miller of Lewis and Clark: A Bill for an Act to repeal "An Act of the Eighth Legislative Assembly entitled "An Act to prevent wrongs to children and dumb animals and to establish a bureau of child and animal protection."

Respectfully,

NATHAN GODFREY, Chief Clerk.

The following communication from His Excellency, Governor J. K. Toole was received and read:

Executive Office, Helena, Montana, January 22, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana:

I have the honor to nominate and with the consent of the Senate appoint Joseph E. Farnum of Custer County, Montana, to be a Member of the Board of Trustees of the State Reform School, to fill a vacancy caused by the resignation of W. A. Jordan.

Mr. Farnum's term will expire April 1st, 1908.

J. K. TOOLE, Governor.

On motion of Donlan the above appointment was confirmed by the Senate.

The following Bills were read first and second times:

H. B. No. 6, by Duncan: A Bill for an Act to amend Section 1012 of the Political Code of the State of Montana relative to the time within which public officers shall file their oaths of office.

Referred to Judiciary Committee.

H. B. No. 14, by Moore: A Bill for an Act entitled "An Act to provide for the reimbursement of Judges sitting in place of other Judges."

Referred to Judiciary Committee.

S. B. No. 24, by Rae: A Bill entitled: An Act to amend Section 4120 of the Political Code of Montana, defining the boundaries of Fergus County, Montana, so as to include the territory acquired by it under the provisions of an Act entitled "An Act providing for the extension of the northern boundary of Fergus County". Approved March 14, 1899, and to readjust the southern boundary to conform to the channel changes made and to be made in the Musselshell River.

Referred to Committee on Counties, Towns and Municipal Corporations.

S. B. No. 25, by White: A Bill for an Act to amend Chapter 32 of the Laws of 1903, relating to annual reports of Corporations.

Referred to Committee on Corporations other than Municipal.

S. B. No. 27, by Donlan: An Act to amend Sections 3560 and 3561 of the Political Code as amended by an Act approved March 6, 1897, relating to timber and timber lands, belonging to the State of Montana, and providing for the sale of timber and the appointment of a Timber Estimator.

Referred to Committee on Public Lands.

S. B. No. 27, by Long: A Bill for an Act entitled "An Act relating to the selection of indemnity school lands and lands granted to all of the State Institutions of learning and for public buildings in Montana.

Referred to Committee on Public Lands.

S. B. No. 29, by Truscott: A Bill for an Act entitled "An Act to amend Section I, of Chapter 29 of the Session Laws of 1905. Approved February 21st, 1905, entitled "An Act to amend Section 950-953, Title VIII, Chapter III, Part IV, Division I of the Civil Code of the State of Montana, relating to the liability of Railway Companies for the killing or injuring of livestock.

Referred to Committee on Judiciary Committee.

S. B. No. 28, by Rae: An Act to establish County Free High Schools and to provide for their maintenance, and repealing "An Act to establish County Free High Schools, and to provide for their maintenance", approved March 3, 1899, and repealing "An Act to amend Sections 2, 3, 4, 6, 8, 11, 12, 13, 14, 16, 17, and 19 and to repeal Sections 21 and 22 of Substitute for House Bill No. 69, "An Act to establish County Free High Schools and to provide for their maintenance," approved March 3, 1899, and re-number certain sections of said Act, "Approved March 14, 1901; also repealing Chapter LXIX of the Laws of 1903, entitled An Act to amend Sections 2 and 3 of Senate Bill No. 37 as enacted by the Seventh Legislative Assembly of the State of Montana, relating to the election of Trustees of the County Free High Schools," approved March 5, 1903, and to validate everything done under any of said Acts of March 3, 1899, March 14, 1901, and March 5, 1903.

Referred to Committee on Education.

S. B. No. 30, by Long: A Bill for an Act entitled "An Act to provide for the incorporation, management and regulation of mutual companies for the insurance of the property of the members against loss or damage by fire or the elements.

Referred to Committee on Corporations other than Municipal.

Following notices of introduction of Bills were given.

By McCone: A Bill for an Act entitled "An Act to provide for the nomination of candidates by direct vote at a Primary Election, to provide the method of adopting such act in any County or City, and to amend Section 1206 of Political Code as amended by the Laws of 1899 and 1260 of the Political Code, approved March 6, 1905; and to make the provisions of the general registration and election laws of the State applicable to the Counties having adopted the above act."

By Edwards: A Bill for an Act entitled, "An Act to provide for the creation, establishment, organization, management and control of irrigation districts and authorizing the incurring of indebtedness, the issuance of bonds, making assessments, exercising the right of eminent domain and prescribing method of procedure.

By Donlan: A Bill for an Act to amend Sections 3478 and 3480 of the Political Code as enacted by H. B. No. 45, approved March 1, 1899, and to amend Section 3480 of the Political Code as amended by said House Bill No. 45 and thereafter amended by Chapter 28 of the Laws of 1903, relating to the appraisal, sale and leasing of State Lands.

By McLean: A Bill for an Act regarding gambling and to prohibit certain games, and the possession or use of certain implements and appliances, and the using or leasing of any premises for gambling purposes, and to provide for the enforcement of this Act, and to provide civil and criminal liabilities and penalties for the violations of its provisions and Civil actions for the recovery of money lost at any of the games herein prohibited, and to repeal

and prohibit City and Town Ordinances on the subject, and to repeal the Act approved March 15, 1901.

Senate Bill No. 4 was read a third time and passed by the following vote:

Total number of votes cast, 18.

Ayes—Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Harper, Haviland, Metcalf, Miles, McCarthy, McCone, McLean, Rae, Sanders, Tooley, Truscott, Long.—18.

Noes—None.

Absent and not voting—Albright, Everett, Fairbanks, Glidden, Martien, Muffly, McDonnell, Romney, White.—9.

Title agreed to.

White asked unanimous consent for an additional three days for the consideration of bills referred to the Judiciary Committee. Same was granted.

Adjourned until 11 o'clock A. M. tomorrow.

H. K. HOWRY, Secretary.

SEVENTEENTH DAY

Helena, Montana, January 23rd, 1907.

Senate convened at 11 o'clock A. M.

President in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Committee on Printing reported as follows:

Senate Chamber, Helena, Montana, January 23rd, 1907.

Mr. President:

Your Committee on Printing begs leave to report that Senate Bills Nos. 6 and 13 have been correctly printed.

SANDERS, Chairman.

Report adopted and Senate Bills Nos. 6 and 13 referred to General File.

Following communications from the House were received and read.

House of Representatives, Helena, Montana, January 22nd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were this day received:

By Allen: A Bill entitled "An Act appropriating money for the payment of the claims of certain persons against the State of Montana for losses arising from the slaughtering of diseased animals under the provisions of Sections 3005 and 3006 of the Political Code.

By Committee on Sanitary Affairs: A Bill for an Act entitled "An Act appropriating money for the payment of the expenses of Dr. H. J. Ricketts, while investigating the cause and cure of spotted fever.

By Brownlee: A Bill for an Act to amend Sections 2224 and 2241 of the Penal Code of Montana relating to judgments for costs or fines in criminal actions and the issuance of executions to collect the same.

By Kirwan: A Bill for an Act to prevent the use of four-wheeled cabooses known as "Dinkeys"; to prevent the use of box cars as cabooses and to fix minimum size and manner of construction of cabooses that may be used on the railroads in the State of Montana.

By Walker: A Bill for an Act entitled "An Act providing for the filing of amended certificates of incorporation, and other certificates relating to incorporations."

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 22nd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bill was this day introduced and placed on file:

By Campbell: H. B. No. 101. A Bill for an Act to esatblish a Geological Survey of Montana and to make appropriations therefor.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 22nd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bill was introduced and read first and second times:

By Whiteside: Substitute for House Bill No. 45. A Bill for an Act entitled "An Act to provide for the creation and organization of irrigation districts, to provide for the election of three directors in each district, defining the duties and powers of such directors and fixing their compensation; to authorize the issuance of bonds and fixing the duration, character and form of said bonds, and making said bonds a lien upon the particular lands for the irrigation of which said bonds are issued; providing for the assessment of lands in such irrigation districts, for the payment of the principal and interest of said bonds and for the administration expenses of said irrigation districts and the maintenance of all irrigation works in such districts. To provide for the equalization of all district assessments by the directors of said districts; to provide for appeals from all decisions of the directors of irrigation districts. Making the County Treasurer in the counties where such districts are organized the custodian of all funds and securities belonging to such districts. Providing for the sale of lands for delinquent assessments and the manner in which the same may be redeemed. To provide for the extension of such irrigation districts and the adjustment and payment of all differences between the old and the new portions of such districts. To provide for the sale of water by any one district to any other district, and fixing the manner and form of payment therefor, and the manner in which differences between such districts shall be adjusted. Making and declaring the construction of all irrigation works to be a public use and granting right of way therefor over state lands, and exemption of all such irrigation works from taxation. To provide for the payment and transfer of money to or from the various funds of said district. To provide for the manner in which lands belonging to the state or the United States may be included in such districts, making the lessees or settlers of such lands liable for certain assessments and providing for the collection of such assessments and fixing the time wherein the water apportioned to such public land shall become appurtenant to the same.

Respectfully, NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 22nd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced and read first and second time:

By Marshall: H. B. No. 84. A Bill for an Act to amend Section 313 of the Political Code relating to the distribution of public reports.

By Wendel: H. B. No. 85. A Bill for an Act entitled "An Act making appropriations for the maintenance of the Montana State Fair and for permanent improvements on the grounds thereof for the fiscal years ending November 30th, 1907, and November 30th, 1908.

By Wendel: H. B. No. 85. A Bill for an Act entitled An Act authorizing the Board of Directors of the Montana State Fair to purchase the Grand Stand erected upon the State Fair Grounds and appropriationg money therefor.

By Logan: H. B. No. 87. A Bill for an Act entitled "An Act to provide for the incorporation, management and regulation of mutual companies for insurance of the property of the members against loss or damage by fire or the elements.

By Macaulay: H. B. No. 88. A Bill for an Act entitled "An Act providing for the registration of electors, in Counties, Cities and Towns and for penalties for the violation thereof.

By Miller of Park: H. B. No. 89. A Bill for an Act entitled "An Act to amend Chapter VI, Title XIII, of the Penal Code of the State of Montana relating to extortion, by adding thereto a Section to be designated Section 924."

By Miller of Park: H. B. No. 90. A Bill for an Act to repeal Section 1313, Part II, Title X, Chapter 3 of the Code of Civil Procedure of the State of Montana, and to provide for the recovery of the value of permanent improvements which have been placed upon real estate by persons in possession thereof, and holding the same in good faith and under color of title.

By Committee on Appropriations: H. B. No. 91. A Bill for an Act appropriating money for the payment of deficiency claim of John J. Quinn, for expenses incurred.

By Committee on Appropriations: H. B. No. 92. A Bill for an Act appropriating money for the payment of deficiency claims of certain persons for rewards.

By Committee on Appropriations: H. B. No. 93. A Bill for an Act appropriating money for the payment of the claims of certain persons for services rendered and supplies furnished in maintenance of the Capitol building.

By Committee on Appropriations: H. B. No. 94. A Bill for an Act appropriating money for the payment of deficiency claims for expenses of Attorney General.

By Committee on Appropriations: H. B. No. 95. A Bill for an Act appropriating money for the payment of claims of certain persons for services rendered and supplies furnished the State Board of Horticulture.

By Whiteside: H. B. No. 96. A Bill for an Act entitled "An Act to amend Sections 1, 2, 3, 4, and 5 of an Act of the Eighth Legislative Assembly, entitled an Act to appoint the Entomologist of the Experiment Station, State Entomologist and appropriate money to pay his traveling expenses.

By Weed: H. B. No. 97. A Bill for an Act to amend Section 1355 of Chapter I, Part II, of the Criminal Code of Montana relating to the rights of the defendant in criminal actions.

By Hyndman: H. B. No. 98. A Bill for an Act to regulate the sale, use and redemption of transportation tickets of common carriers, providing penalties for the violation thereof, and repealing Section 982 of Chapter IV, Title VIII, Part IV, of Division I, of the Civil Code of Montana.

By Cato: H. B. No. 99. A Bill for an Act amending Section 3671 of the Political Code of the State of Montana, relating to property liable to taxation.

By Brownlee: H. B. No. 100. A Bill for an Act to amend Sections 1675 and 2460, of the Penal Code of Montana, relating to the issuing of subpoenas by magistrates in criminal actions in justice courts.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 22nd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 7, Substitute of House Bills Nos. 2 and 13, and House Bill No. 58, have been read a third time and passed, and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

Following Bills were read first and second times:

H. B. No. 7, by Boorman. A Bill for an Act to amend Section 2211, of Title VII, of Chapter I, of Part III, of the Code of Civil Procedure of the State of Montana, as amended by Senate Bill No. 104 of the Sixth Legislative Assembly, approved March 7th, 1899, relating to the right of Eminent Domain.

Referred to Committee on Roads, Highways and Bridges.

H. B. No. 58, by Miller of Park: A Bill for an Act entitled "An Act to regulate the hours of labor of Locomotive Engineers, Locomotive Firemen, Conductors, Trainmen, Operators, and agents acting as operators and to provide penalties and civil liabilities for the violation thereof."

Referred to Committee on Labor and Capital.

Substitute for House Bills Nos. 2 and 13, by Judiciary Committee: A Bill for an Act entitled "An Act to create the Thirteenth Judicial District of the State of Montana, to be composed of the Counties of Yellowstone, Rosebud and Carbon, to change the boundaries of the Seventh Judicial District of the State of Montana, to change the boundaries of the Sixth Judicial District of the said State of Montana, to conform thereto, and to provide for the appointment, powers, duties and compensation and term of office of said Judge of said Judicial District.

Referred to Committee on Counties, Towns and Municipal Corporations.

S. B. No. 31, by Long: A Bill for an Act entitled "An Act to amend Sections 3478 and 3490 of the Political Code of the State of Montana, as substituted and amended by House Bill No. 45, Session Laws 1899, approved March 1, 1899, and to amend Section 3480 of the Political Code of the State of Montana, as substituted and amended by H. B. No. 45, Session Laws 1899, approved March 1, 1899, and as amended by Chapter XXVIII of the Session Laws of 1903, approved February 25, 1903, relating to the appraisal, sale and leasing of state lands.

Referred to Committee on Public Lands.

S. B. No. 32, by McCone: A Bill for an Act to repeal an Act entitled

"An Act to provide for the nomination of candidates by a direct vote at a primary election, to provide the method of adopting such act in any County or City, and to amend Sections 1206 of the Political Code as amended by the Laws of 1899 and 1260 of the Political Code," approved March 6, 1905, and to make the provisions of the general registration and election laws of the state applicable to the counties having adopted the above act.

Referred to Committee on Elections and Privileges.

S. B. No. 33, by Donlan: An Act to amend Sections 3478 and 3484 of the Political Code as enacted by House Bill No. 45, approved March 1st, 1899, and to amend Section 3480 of the Political Code as enacted by said House Bill No. 45, and thereafter amended by Chapter 28 of the laws 1903; relating to the appraisal, sale and leasing of State Lands.

Referred to Committee on Public Lands.

S. B. No. 34, by McLean: A Bill for an Act regarding gambling, and to prohibit certain games, and the possession or use of certain implements and appliances, and the using or leasing of any premises for gambling purposes, to provide for the enforcement of this Act, and to provide civil and criminal liabilities, and penalties for violation of its provisions, and civil actions for the recovery of money lost at any of the games herein prohibited, and to repeal and prohibit city and town ordinances on the subject, and to repeal the act approved March 15th, 1901.

Refered to Committee on Public Morals.

S. B. No. 35, by Everett: A Bill for an Act to amend Section 1270, 1355, 1360, 1408, 1410, 1412, 1413, and 1414 of the Political Code of the State of Montana, and Sections 1354, and 1361 of the same Code as amended by House Bill No. 59, of the laws of 1901, approved March 7, 1901, relating to ballots, voting and election returns and providing further protection for the voter while preparing his ballot and casting the same.

Referred to Committee on Elections and Privileges.

On motion of Sanders the Printing Committee was allowed to employ Mrs. Caddie K. Potter as clerk.

The following Notices of Introduction of Bills were given:

By Everett: A Bill for an Act providing for the submission to the qualified electors of the State of Montana of an amendment of Section III, Article 12, of the Constitution relating to the taxation of Mines and Mining Claims.

By Truscott: An Act providing for the inspection of any horses, cattle, sheep or other domestic animals driven or shipped into any county of this State for grazing or feeding purposes.

The following Senate Resolution No. 1 was read:

Senate Chamber, Helena, Montana, January 23, 1907.

Whereas, a convention of representative business men has been called to meet in Helena, Montana on Tuesday, January 29, 1907, at 3 P. M. for the purpose of devising ways and means of attracting desirable emigrants and show the unparalleled resources of Montana; therefore,

Be it Resolved, that the Senate of Montana show its appreciation of said convention by standing adjourned during the deliberation of said convention.

MILES.

Moved by White that Senate resolve itself into Committee of the Whole to consider business on the General File; with Everett in the chair.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, January 23rd, 1907.

Mr. President:

Your Committee of the Whole, having had under consideration the General File of Bills instruct me to report and recommend that:

Senate Bill No. 9 do pass.

EVERETT, Chairman.

Report adopted and Bill referred to Committee on Engrossed Bills.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

EIGHTEENTH DAY

Helena, Montana, January 24th, 1907.

Senate convened at 10:30 A. M.

President in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Senators Martien, McCarthy, Miles, Edwards, and Truscott reported for roll call.

Committee on Public Buildings reported as follows:

Senate Chamber, Helena, Montana, January 22nd, 1907.

Mr. President:

Your Committee on Public Buildings to whom was referred Senate Bill No. 1, having had the same under consideration, beg leave to report as follows:

We respectfully recommend that the bill be amended by adding to Section 1, after the figures 1908, the following:

Provided, however, that if the bonds heretofore authorized by any act of the Ninth Legislative Assembly, approved February 2nd, 1905, shall be declared legal and valid by the supreme court of the United States in the case now pending before it, such bonds shall be sold by the State Board of Land Commissioners as provided in said Act, and the funds realized therefrom shall be paid into the State Treasury to the credit of the General Fund, to reimburse said fund for the expenditure hereby authorized."

And as so amended, that the bill do pass.

ANNIN, Chairman.

Report adopted.

Committee on Education reported as follows:

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Education to whom was referred Senate Bill numbered 28, beg leave to report as follows: That they have had the same under consideration and recommend that the Bill do pass.

Respectfully submitted,

TOOLEY, Chairman.

Report adopted.

Committee on Counties and Towns reported as follows:

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred Senate Bill numbered 24, beg leave to report as follows: We have had the same under consideration and recommend that the same do pass.

Respectfully submitted,

DONLAN, Chairman.

Report adopted.

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred Substitute for House Bill numbered 2 and 13, beg leave to report as follows: We have had the same under consideration and recommend that the same be concurred in.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill refered to General File.

Committee on Finance and Claims reported as follows:

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred Senate Bill numbered 19, beg leave to report as follows: That they have had the same under consideration and recommend that the Bill be printed.

Respectfully submitted,

McCONE, Chairman.

On motion of White the above report was amended by striking out the words "be printed" and adding the words "do pass."

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 23rd, 1907.

Mr. President:

Your Committee on Roads, Highways and Bridges to whom was referred Senate Bill No. 15, having had the same under consideration recommend that it do pass.

COWGILL, Chairman.

Report adopted, Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Corporations other than Municipal having had Senate Bill No. 25 under consideration report back that the same do pass.

MILES, Chairman.

Report adopted, and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, having had Senate Bill No. 30, beg leave to report that the same be printed.

MILES, Chairman.

Report adopted, Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 29, being a Bill for an Act to amend Section 1 of Chapter 29, of Session Laws of 1905, approved February 21st, 1905, entitled "An Act to amend Section 950-953, Title VIII, Chapter III, Part IV, Division I, of the Civil Code of the State of Montana, relating to the liability of Railway Companies for the killing or injuring of livestock," beg leave to report: That we have duly considered same, and respectfully recommend that the Bill do pass.

WHITE, Chairman.

Report adopted.

Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 23rd, 1907.

Mr. President:

Your Committee on Judiciary, having had under consideration Senate Bill No. 14, respectfully report and recommend that Section 1 be amended to read as follows:

Section 1. That Section 32, Title I, Part I, Chapter 4, of the Code of Civil Procedure as said Section is amended by an Act approved March 11, 1901, and entitled: "An Act to amend Section 32, Title I, Part I, Chapter 5, of the Code of Civil Procedure, and to provide for an additional Judge for said Second Judicial District be amended so as to read as follows:

"Section 32. In each Judicial District there must be a Judge of the District Court who must be elected by the qualified voters of the district, and whose term of office is four years. In the Second District there must be three Judges." And as amended recommend that the Bill do pass.

WHITE, Chairman.

Report adopted.

Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 7, being a Bill for an Act entitled "An Act to amend Section 1192 of the Penal Code of the State of Montana, making it unlawful to wrongfully and without authority to use the name, title of officers, insignia, ritual, ceremonies of certain orders and societies and providing punishment for the violation of the provisions of this Act; beg leave to report as follows:

That we have duly considered same, and respectfully recommend that the Bill do pass.

WHITE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred House Bill No. 6, being a Bill for an Act entitled "An Act to amend Section 1012 of the Political Code of the State of Montana relative to the time within which public officers shall file their oaths of office, beg leave to report as follows:

That we have duly considered same, and respectfully recommend that the Bill be concurred in.

WHITE, Chairman.

Report adopted. Bill referred to General File.

Senate Chamber, Helena, Montana, January 24, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bill numbered 9, beg leave to report as follows:

That the same has been correctly engrossed.

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for third reading.

Following Bills were read first and second times:

S. B. No. 36, by Glidden: A Bill for an Act entitled an Act to create the County of Daly, designate its boundaries and provide for its organization and government.

Referred to Committee on Counties, Towns and Municipal Corporations.

S. B. No. 37, by Truscott: A Bill for an Act entitled "An Act providing for the inspection of any horses, cattle, sheep or other domestic animals driven or shipped into any county of this State for grazing or feeding purposes.

Referred to Committee on Stockgrowing and Grazing.

S. B. No. 38, by Miles: A Bill for an Act to validate the official acts of Notaries Public within the State of Montana, which acts have been performed since the 15th day of February, 1895.

Referred to Judiciary Committee.

Following Notices of Introduction of Bills were given:

By Muffly: A Bill for an Act to provide for the establishment of guide boards at forks of public roads; defining the duties of County Commissioners therein, providing a penalty for the non-enforcement thereof, and providing a penalty for the defacement or injury to said guide boards.

By Haviland: A Bill for an Act entitled "An Act to regulate certain gambling and to prohibit other gambling.

Referred back to Seventh order of buisness and the following bills were read a first and second time:

H. B. No. 61, by Committee on Appropriations. A Bill for an Act appropriating money for the payment of deficiency claims of certain persons for services rendered and supplies furnished the State Reform School.

Referred to Committee on Finance and Claims.

H. B. No. 62, by Committee on Appropriations. A Bill for an Act making appropriation for the incidental expenses of the Tenth Legislative Assembly of the State of Montana.

Referred to Committee on Finance and Claims.

Committee on Printing reported as follows:

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Printing report Senate Bill No. 12 correctly printed.

SANDERS, Chairman.

On motion of Donlan S. B. No. 12 re-referred to Committee on Labor and Capital.

Committee on Stock Growing and Grazing had under consideration Senate Bill No. 19 and require more time.

BIELENBERG, Chairman.

Time granted.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, January 23rd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Committee on Sanitary Affairs: H. B. No. 102. A Bill for an Act entitled, "An Act appropriating money for the payment of the expenses of Dr. H. J. Ricketts, while investigating the cause and cure of spotted fever.

By Brownlee: H. B. No. 103. A Bill for an Act to amend Sections 2224 and 2241 of the Penal Code of Montana relating to judgments for costs or fines in Criminal Actions and to the issuance of executions to collect the same.

By Wendel: H. B. No. 104. A Bill for an Act to amend Section 4870 of the Political Code of the State of Montana as amended by House Bill No. 213, entitled "An Act to amend Sections 4867, 4868, 4869, 4870, 4871, 4872, 4873, 4874, 4875, 4876 and 4877 of the Political Code of the State of Montana relating to taxation of Municipal Corporations," approved March 3, 1897.

By Gray: H. B. No. 105. A Bill for an Act entitled "An Act to repeal Sections 4072, 4073, 4080 and 4082 of Article II, Chapter XIII, Political Code of Montana, as amended by House Bill No. 162, approved March 6th, 1897, and Section 4064 of Article II, Chapter XIII, Political Code of Montana, as amended by House Bill No. 80, approved March 4, 1899 relating to licenses."

By Morris: H. B. No. 106. A Bill for an Act to prevent the adulteration or dilution of articles of food, drink, drug, medicine, strong spirituous or malt liquor, or wine, or any article useful in the compounding either of them and to prevent the sale, or offering for sale thereof; and to repeal Section 682 and 683 of the Penal Code.

By Walker: H. B. No. 107. A Bill for an Act entitled "An Act providing for filing amended certificates of incorporation, and other certificates relating to corporations."

By Whiteside: H. B. No. 108. A Bill for an Act entitled "An Act to limit the hours of labor of telegraph operators, trick dispatchers, express messengers, baggagemen, and fixing the penalties for violation ot this Act; exempting co-employees from assuming liability by reason of working with fellow employees who may be employed in violation of this Act, and making all persons, corporations or companies violating this Act liable for all damages resulting therefrom."

By Committee on Appropriations: House Bill No. 109. A Bill for an Act appropriating money for the deficiency claims of certain persons, for supplies furnished account of Farmer's Institute.

By Committee on Appropriations: H. B. No. 110. A Bill for an Act appropriating money for payment of Claim of the Board of Charities and Reform for expenses incurred.

By Committee on Appropriations: H. B. No. 111. A Bill for an Act appropriating money for the payment of certain deficiency claims in connection with the Adjutant General's Office.

By Committee on Appropriations: H. B. No. 112. A Bill for an Act appropriating money for the payment of certain deficiency claims in connection with the State Treasurer's Office.

By Committee on Appropriations: H. B. No. 113. A Bill for an Act ap-

propriating money for the payment of deficiency claims of the Bureau of Child and Animal Protection, for expenses incurred.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 23rd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body, that notices of the following Bills were this day received:

By Bennett: A Bill to appropriate money for the purpose of assisting in the erection of a monument within the State Capitol Building at Helena, Montana, to perpetuate the memory of the late Wilbur F. Sanders, and for the appointment of a Commission to assist in the erection of such monument.

By Reed: A Bill for an Act to amend Section 666, Title IV, Chapter I, of the Political Code relating to the filing of annual statements of certain corporations.

By Patten: A Bill for an Act providing for the apportionment between Counties of taxes levied upon live stock run or herded upon the public ranges of more than one County, and penalties for the violation thereof.

By Macaulay: A Bill for an Act entitled "An Act providing for the licensing of peddlers, defining who are peddlers and providing for penalties for violation of the provisions of this Act."

By Leighton, by Request: A Bill for an Act to amend Section 603 of the Political Code of the State of Montana, relating to the refusal to grant certificates to practice medicine and surgery by the State Board of Medical Examiners, providing for the revocation of such certificates and prescribing the procedure on appeal from the action of the State Board of Medical Examiners.

By Cluston: A Bill for an Act entitled "An Act providing for submitting to the qualified electors of the State of Montana an amendment to Section XI, Article IX, of the Constitution of the State of Montana, authorizing the Legislative Assembly of the State of Montana to prescribe additional qualification for County Superintendents of Schools, and for the State Superintendent of Public Instruction.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 23rd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notice of the following bill was this day received:

By Marshall: A Bill for an Act entitled "An Act regarding poolrooms, pool selling and registering of bets, and to punish the keeping of poolrooms, book making and pool selling, and recording of bets, by unlicensed persons; to provide for the issuance of licenses therefor, and to dispose of the funds arising from such licenses, and to provide civil and criminal liabilities and penalties for the violating of its provisions, and civil actions for the recovery of money lost on any pool or bet sold or registered contrary to this Act, and repealing and prohibiting Ordinances on the subject and repealing Acts in conflict herewith."

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 23rd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Miss Della Rollins has been appointed a Clerk to the Committees on Labor, Affairs of Cities and Apportionment and Representation.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 23rd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 101 was taken from the file and read first and second times.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 23rd, 1907.

Mr. President:

I am diretced by the House to inform your Honorable Body that House Bills Nos. 61 and 62 have been read a third time and passed by the House and herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

On motion of White Senate resolved itself into Committee of the Whole to consider business on the General File, with

Martien in the chair.

Committee arose.

Senate resumed.

President in the chair.

Martien, Chairman of the Committee of the Whole, reported as follows:

Senate Chamber, Helena, Montana, January 24, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills, instruct me to report and recommend that:

S. B. No. 6 be amended in line 15, page 2, by striking out the word "twelve" and inserting in lieu thereof the word "eight."

Also to strike out on lines 15 and 16 of said page 2 the following words. "And blazed on at least one side", and substitute in lieu thereof the following words "Cut off four feet above the surface of the ground and blazed on four sides", and as amended that S. B. No. 6 do pass.

S. B. No. 13 be amended by striking out of Section 10, in lines 38 and 39 the following words, "Of a Sheriff in making arrests and shall be further vested with authority", and that as amended S. B. No. 13 do pass.

H. B. No. 6 be concurred in.

Substitute for House Bills Nos. 2 and 13 be concurred in.

MARTIEN, Chairman.

Report adopted, and Senate Bills Nos. 6 and 13 referred to Committee on Engrossed Bills.

House Bill No. 6 and Substitute for House Bills Nos. 2 and 13 referred to calendar for third reading.

S. B. No. 9, by Tooley, was read a third time and passed by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett,

Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting—Donlan and McLean.—2.

Title agreed to.

Adjourned till 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

NINETEENTH DAY

Helena, Montana, January 25th, 1907.

Senate convened at 10:30 A. M.

President pro-tem in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Long and Martien reported for Roll Call.

Journal read and approved.

Following reports of Standing Committees received and read:

Senate Chamber, Helena, Montana, January 25th, 1907.

Mr. President:

Your Printing Committee begs leave to report Senate Bills Nos. 16 and 17 correctly printed

SANDERS, Chairman.

Report adopted. Bills referred to General File.

House of Representatives, Helena, Montana, January 23rd, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred Senate Bill numbered 23 beg leave to report as follows: We have had the same under consideration and recommend that the same do pass.

DONLAN, Chairman.

Report adopted. Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 25th, 1907.

Mr. President:

Your Committee on Elections and Privileges, to whom was referred Senate Bill numbered 32, beg leave to report as follows:

That they have had the Bill under consideration and recommend that the same do pass.

FAIRBANKS, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 25th, 1907.

Mr. President:

Your Committee on Counties and Towns, to whom was referred Senate Bill numbered 22, beg leave to report as follows:

We have had the same under consideration and recommend that the same do pass.

DONLAN, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 25th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred Senate Bill numbered 11 beg leave to report as follows:

That they have had the Bill under consideration and recommend that the Bill do pass.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 20, being a Bill for an Act to amend Section 4632, Part IV, Title II, of the Political Code of the State of Montana, relating to fees of Notaries Public", beg leave to report that they have duly considered said Bill, and respectfully recommend that it do pass.

WHITE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred House Bill No. 14, being,

A Bill for an Act entitled "An Act to provide for the reimbursement of Judges sitting in the place of other Judges", beg leave to report:

That they have duly considered the same and respectfully recommend that it be concurred in.

WHITE, Chairman.

Report adopted.

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 38, being,

A Bill for an Act entitled, An Act to validate the official acts of Notaries Public within the State of Montana, which acts have been performed since the 15th day of February, 1895", beg leave to report:

That they have duly considered same, and respectfully recommend that it do pass.

WHITE, Chairman.

Report adopted. Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 25th, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bill numbered 6, beg leave to report as follows:

That the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT,

Chairman, Committee on Engrossed Bills.

Report adopted. Bill referred to calendar for third reading.

Senate Chamber, Helena, Montana, January 25th, 1907.

Mr. President:

Your Committee on Public Morals to whom was referred Senate Bill No. 34, a Bill for an Act regarding gambling, and to prohibit certain games and the possession or use of certain implements and appliances and the using or leasing of any premises for gambling purposes, to provide for the enforcement of this Act and to provide civil and criminal liabilities and penalties for violation of its provisions, and civil actions for the recovery of money lost at any of the games heren prohibited, and to repeal and prohibit City and Town ordinances on the subject, and to repeal the Act approved March 15th, 1901; have had the same under consideration and report the same back without any recommendation.

CARDWELL, Chairman.

On motion of Edwards above report was adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Railroads and Transportation having had under consideration Senate Bill No. 3, being a Bill for an Act prohibiting the giving or issuing of free tickets, free passes, or free transportation to passengers by common carriers doing business in this State, excepting to their own employees, and other classes herein named, beg leave to report:

That they have duly considered said Bill, and respectfully recommend that Section III be amended to read as follows:

"Section III. This Act shall take effect and be in force from and after December 31st, 1907", and as amended that the bill do pass.

EVERETT, Chairman.

Report rejected, and upon motion of Donlan the Bill was indefinitely postponed.

Following communications from the House received and read:

House of Representatives, Helena, Montana, January 24th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Notice of the following Bill was this day received:

By Miller of Lewis and Clark: A Bill for an Act extending the General Appropriations of 1906 to the end of February, 1907.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 24th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Notices of Bills were this day received as follows:

By Cameron: A Bill for an Act creating Herding Districts for live stock, and providing a penalty for permitting live stock to run at large.

By Warren: A Bill for an Act entitled "An Act to provide for the payment of the actual expenses of County Assessors incurred in the performance of official duty."

By Marshall: A Bill for an Act to create a State Text Book Commission for the purpose of adopting and maintaining a uniform series of text books for the public schools of Montana; to regulate the price of same; define the duties

and powers of the said Commission, appropriating a sum of money named herein for the expenses of said Commission.

By Miller of Lewis and Clark, by Request: A Bill for an Act appropriating money for the payment of deficiency claim of Secretary of the State Text Book Commission for expenses incurred.

By Beckwith: A Bill or Bills providing that not less than nine months school shall be held in all districts of the first and second classes; providing the necessary funds therefor, and repealing all laws in conflict with this provision.

By Whiteside: A Bill to provide for a System of Juvenile Court practice in Montana.

By Marshall: A Bill for an Act entitled "An Act prescribing the number of deputies to which County Assessors are entitled."

By Whiteside: A Bill to authorize the construction of a State Fish Hatchery and to appropriate money therefor, from the Game and Fish Fund.

By Weed: A Bill for an Act defining the status of persons soliciting Life Insurance.

By Weed: A Bill for an Act to prohibit misrepresentation by Life Insurance Companies.

By Blake: A Bill for an Act to provide for the payment of actual necessary expenses of Judges of the District Court when holding court in his District in any county not the county of residence of such Judge.

By Cameron: A Bill for an Act to amend Section 1840 of the Political Code of Montana relating to the disqualification of teachers.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 24th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Bennett, by Request: H. B. No. 114. A Bill for an Act entitled, An Act to appropriate money for the purpose of assisting in the erection of a monument within the State Capitol Building, at Helena, Montana, to perpetuate the memory of the late Wilbur F. Sanders, and for the appointment of a commission to assist in the erection of such monument.

By Corby: H. B. No. 115. A Bill for an Act entitled, An Act for the better protection of employees, and for the preventing superintendents, foremen, assistants, bosses or any other person from receiving or soliciting any sum of money or other valuable consideration, for, or on account of employing, or continuing to employ, any person, or promising or agreeing so to do, and providing penalties for the violation of this act."

By Kirwan: H. B. No. 116. A Bill for an Act entitled "An Act to prohibit the use of four wheeled cabooses, known as "Dinky Cabooses", on all railroad trains, operated in the State of Montana; to prevent the use of box cars as cabooses, and to fix the minimum size and manner of construction of all cars used as cabooses, and fixing the penalties for violation of this Act."

By Seidler: H. B. No. 117. A Bill for an Act entitled "An Act to amend Section 717, Part I, Title X, Chapter XI, of the Penal Code of the State of Montana, as the same is now in force, as amended by an Act entitled "An Act to amend Section 717, Part I, Title X, Chapter XI, of the Penal Code of

the State of Montana, relating to the sale of intoxicating beverages, on the line of any railroad grade, logging camp, saw mill, sheep shearing camp, irrigating ditch, or canal in course of construction, approved February 27th, 1905.

By Patten: H. B. No. 118. A Bill for an Act entitled "An Act providing for the apportionment between counties of taxes levied upon live stock run or herded upon the public ranges of more than one county, and penalties for the violation thereof."

By Cluston: H. B. No. 119. A Bill for an Act entitled "An Act providing submitting to the qualified electors of the State of Montana an amendment to Section 11, Article 9 of the Constitution of the State of Montana authorizing the Legislative Assembly of the State of Montana to prescribe additional qualifications for County Superintendents of Schools and for the State Superintendent of Public Instruction."

By Marshall: H. B. No. 120. A Bill for an Act regarding pool rooms, pool selling and registering of bets, and to punish the keeping of pool rooms, book making and pool selling, and recording of bets by unlicensed persons; to provide for the issuance of license therefor, and to dispose of the fines arising from such licenses and to provide civil and criminal liabilities and penalties for the violation of its provisions, and civil action for the recovery of money lost on any pool or bet sold or registered contrary to this Act, and repealing and prohibiting ordinances on the subject, and repealing Acts in conflict herewith."

By Weed: H. B. No. 121. A Bill for an Act to amend Section 666, Title IV, Chapter I, of the Political Code relating to the filing of annual statements by certain corporations."

Respectfully,

NATHAN GODFREY, Chief Clerk.

The following Bills were read first and second times:

S. B. No. 39, by Everett: A Bill for an Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 3, of Article XII of the Constitution relating to mines and mining claims."

Referred to Committee on Mines and Mining.

S. B. No. 40, by Romney: A Bill for an Act entitled "An Act to amend Section 1940a and 1940b of the Political Code of Montana as enacted by the Fifth Legislative Assembly of the State of Montana through S. B. No. 44, approved March 8th, 1897, and as amended by H. B. No. 191, Session Laws of 1901, approved March 9th, 1901.

Referred to Judiciary Committee.

S. B. No. 41, by Committee on Finance and Claims: A Bill for an Act assenting to the provisions of an Act of Congress, entitled "An Act to provide for an increased annual appropriation for Agricultural Experiment Stations and regulating the expenditure thereof." Approved March 16th, 1906.

Referred to Committee on Education.

Following Notices of Bills were given:

By McCarthy: A Bill for an Act entitled "An Act prohibiting the employment of children in certain occupations, under the age of sixteen years."

By White: A Bill for an Act entitled "An Act to amend Section 1770 of Article IV of the Political Code of the State of Montana, as amended by the Sixth Legislative Assembly, approved March 6th, 1897, and as further amended by the Seventh Legislative Assembly, approved March 3rd, 1899.

H. B. No. 6, by Duncan: Was read a third time and concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Haviland, Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, Rae, Romney, Sanders, Tooley, Truscott.—23.

Noes—None.

Absent and not voting—Harper, Metcalf, McLean.—3.

Title agreed to.

Substitute for House Bills Nos. 2 and 13, by Committee on Judiciary, was read a third time and concurred in by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Haviland, Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, Rae, Romney, Sanders, Tooley, Truscott.—23.

Noes—None.

Absent and not voting—Harper, Metcalf, McLean.—3.

Title agreed to.

S. B. No. 6, by Albright: Was read a third time and passed by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting—Edwards, Everett, Metcalf, McLean.—4.

Title agreed to.

Adjourned until 2 P. M. Monday.

H. K. HOWRY, Secretary.

TWENTIETH DAY

Helena, Montana, January 28th, 1907.

Senate convened at 2 P. M.

President in the chair.

Roll called. Quorum present.

Journal read.

Martien objected to the Journal on account of its failure to show the yea and nay vote by which Senate Bill No. 3, relating to free tickets, passes and free transportation, was indefinitely postponed.

It was directed that the said vote be entered as follows:

Moved by Donlan that the Bill be indefinitely postponed. Martien demanded a roll call. Roll called:

Ayes—Albright, Bielenberg, Cardwell, Donlan, Fairbanks, Glidden, Harper, Haviland, Miles, Muffly, McCarthy, McCone, McDonnell, Rae, Sanders, Tooley, Truscott.—17.

Noes—Annin, Cowgill, Edwards, Everett, Long, Martien, Romney, White—8.

Absent and not voting—Metcalf, Miles.—2.

Motion carried and Bill indefinitely postponed.

A communication was reecived from the Montana Anglers' Association protesting against the passage of House Bill No. 68.

Referred to Committee on Fish and Game.

A communication from the Lambs Club was received and read, wherein the members of the Tenth Legislative Assembly were invited to attend an informal reception and smoker Thursday evening, January 31st.

The Secretary was ordered to notify the Lambs Club of the thanks and acceptance of the Senate.

A Petition from about fifty residents of Flathead County urging the passage of a Bill repealing the present license tax on merchants and professional men, was received, read and referred to Committee on Finance and Claims.

A Petition was received and and read from seven residents of the County of Carbon opposing the division of said County.

Same was referred to Committee on Counties, Towns and Municipal Corporations.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, January 28th, 1907.

Mr. President:

Your Committee on Printing, report Senate Bills number 15, 7, 25, 29, 30, 24 and 19 correctly printed.

SANDERS, Chairman.

Report adopted. Bills referred to General File.

Senate Chamber, Helena, Montana, January 25th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bill numbered 13, beg leave to report as follows:

That a Bill for an Act to amend an Act entitled "An Act to amend the Act, entitled 'An Act to prevent wrongs to children and dumb animals, and to establish a Bureau of Child and Animal Protection,' approved March 7th, 1903, and repealing Sections 1, 2, 3, 4, 5, 6, 7 and 8 of said Act", approved March 4, 1905, has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted. Bill referred to Calendar for third reading.

Senate Chamber, Helena, Montana, January 24th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 2, introduced by McDonnell, being a Bill for an Act to create the Thirteenth Judicial District of the State of Montana, to be composed of the Counties of Yellowstone and Carbon, and providing for the election of a Judge thereof, having had the same under consideration, beg leave to report and recommend that the same be indefinitely postponed, for the reason that the subject matter of the said bill is covered by and embraced in Substitute for House Bills Nos. 2 and 13 now before the Senate.

Report adopted. WHITE, Chairman.

Senate Chamber, Helena, Montana, January 28th, 1907.

Mr. President:

Your Committee on Roads, Highways and Bridges, to whom is referred House Bill numbered 7, beg leave to report as follows:

To amend Section 1 sub-division 13, by striking out the words "permanent and" (in line 38), and adding after the words "Highways" in line 39 "For such time as the Court or Judge may determine", and as so amended the same be concurred in.

COWGILL, Chairman.

On motion of Donlan report was adopted and bill referred to General File.

Following Communications from the House were received and read:

House of Representatives, Helena, Montana, January 25, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Notices of the following Bills have been received:

By Scallon: A Bill for an Act providing for regulations of saloons, and prohibiting wine rooms in or in connection with saloons, prohibiting the frequenting of wine rooms by females, and prohibiting females being in saloons for the purpose of being supplied with liquor, and prohibiting certain signs in connection with saloons, and providing for the enforcement of this Act, and penalties for its violation.

By Allen: A Bill for an Act entitled "An Act to amend Section 1873 of the Code of Civil Procedure of the State of Montana relating to the fees of Justices of the Peace on executions.

By Allen: A Bill for an Act entitled "An Act to amend Section 4642 of the Political Code of Montana, relating to the fees allowed Justices of the Peace in Criminal Cases.

By Barbour: A Bill for an Act entitled "An Act to Establish a State Board of Health, subordinate County, City and Town Boards of Health, defining the powers and duties of each, providing for the compensation of the officers and members of each, providing for the enforcement of the Rules and Regulations and Laws relating to said Boards, and to repeal an Act entitled "An Act creating a State Board of Health, defining its powers and duties, and providing for the enforcement of the Rules and Regulations of said Board." Approved March 15, 1901.

By Barbour: A Bill for an Act entitled "An Act to establish a State Bureau of Vital Statistics, placing the same under the supervision of the State Board of Health, and describing the duties of the Secretary of the State Board of Health, and the duties of the subordinate officers of the State Board of Health relative thereto, and fully providing for the registration of births, and deaths and other statistical matter relative to sanitary affairs and providing for sub-registers, and providing for the pay therefor."

By Shaw: A Bill defining "Warehousemen" and relating to warehouse receipts.

By Seidler: A Bill for an Act to amend Section 1742 of the Political Code of Montana relating to County Superintendents and their necessary traveling expenses when visiting schools, said section being now in force as amended by an Act of the Seventh Legislative Assembly. Approved March 14th, 1901, the foregoing section being contained in Part III, Title III, Chapter VI, Article II of the Political Code of Montana.

By Weed: A Bill for an Act regulating Life Insurance Companies and prohibiting the diversion of funds for political purposes.

By Weed: A Bill for an Act to prohibit discrimination by Life Insurance Companies, and to provide penalties for the violation thereof.

By Miller of Park: A Bill for an Act entitled "An Act to authorize the State of Montana to become indebted in excess of One Hundred Thousand Dollars, and to provide for the issuance of bonds in the name of the State for the redemption of bonds heretofore executed, and issued by the State Board of Land Commissioners for the use and benefit of the various State Educational Institutions, and also to make the whole the permanent funds of the various State Educational Institutions.

By Goff: A Bill for an Act "entitled an Act to amend Section 2942 of the Political Code, relating to the publication of marks and brands, to provide for the auditing of the books of the Stock Association, and to provide for the disposition of any interest accruing in the estray fund."

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 25, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Warren: H. B. No. 122. A Bill for an Act entitled "An Act to provide for the payment of the actual expenses of County Assessors incurred in the performance of official duty."

By Weed: H. B. No. 123. A Bill for an Act defining the Status of persons soliciting Life Insurance.

By Marshall: H. B. No. 124. A Bill for an Act entitled "An Act prescribing the number of deputies to which County Assessors are entitled."

By Maxwell: H. B. No. 125. A Bill for an Act entitled "An Act to provide the qualified electors of the State of Montana may vote in any precinct in this State where their duties call them on Election Day."

By Committee on Appropriations: H. B. No. 126. A Bill for an Act appropriating money for the payment of certain deficiency claims account of State Game and Fish Warden.

By Miller of Lewis and Clark: H. B. No. 127. A Bill for an Act making appropriations for the State Institutions of Montana, for the three months ending February 28th, 1907.

By Corby and Seidler: H. B. No. 128. A Bill for an Act entitled "An Act prohibiting the employment of Children in certain occupations under the age of 16 years; providing for the registration of the age of all children; the issuance of an age certificate, and the disposition of the same, forbidding the employment of children in certain occupations without such certificate, providing for the enforcement of the provisions of this Act, and providing penalties for the violations of the provisions thereof.

By Cameron: H. B. No. 129. A Bill for an Act to amend Section 1840 of the Political Code of Montana, as amended by an Act approved March 5, 1903, relating to the qualification of teachers.

By Miller of Lewis and Clark: H. B. No. 130. A Bill for an Act making appropriations for the Executive and Judiciary departments of the State Government for the three months ending February 28th, 1907.

By Gray: H. B. No. 131. A Bill for an Act entitled "An Act requiring all mortgages, bonds for deeds, deeds of trust, contracts for the sale or purchase of property, and assignments to show the true name and residents of the parties thereto, and in the case such parties are non-residents, requiring

certain affidavits to be made a part thereof, and fixing penalties for making false statements therein."

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 24th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 63 and 64 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

Following Bills were read a first and second time:

H. B. No. 63: By Committee on Appropriations. A Bill for an Act entitled "An Act appropriating money for the payment of deficiency claims of the Public Printing for expenses incurred.

Referred to Committee on Finance and Claims.

H. B. No. 64: By Committee on Appropriations. An Act entitled "An Act appropriating money for the payment of deficiency claims of certain persons for services rendered and supplies furnished the State Orphans Home at Twin Bridges, Montana.

Refered to Committee on Finance and Claims.

After receiving unanimous consent to introduce a Bill without previous notice Donlan introduced the following Bill which was read a first and second time:

S. B. No. 42: A Bill for an Act entitled "An Act providing that upon sale of lands belonging to the State of Montana, minerals and coals shall be reserved in the patent."

Referred to Committee on Public Lands.

S. B. No. 43, by McCarthy: A Bill for an Act entitled "An Act prohibiting the employment of children in certain occupations under the age of sixteen years; providing for the registration of the age of all children, the issuance of an age certificate, and the disposition of the same; forbidding the employment of children in certain occupations without such certificate, providing for the enforcement of the provisions of this Act and providing penalties for the violation of the provisions thereof."

Referred to Committee on Capital and Labor.

S. B. No. 44, by White: A Bill for an Act entitled, "An Act to amend Section 1770 of Article IV of the Political Code of the State of Montana as amended by the Sixth Legislative Assembly, Approved March 6, 1897, and as further amended by the Seventh Legislative Assembly, approved March 3rd, 1899.

Referred to Committee on Education.

The following Notices of Bills were given:

By Annin: A Bill for an Act defining and concerning dependent or neglected children and delinquent children or delinquent juvenile persons, and concerning their parents and other persons responsible for or contributing to their dependency, neglect and delinquency, providing for the jurisdiction of Courts and the procedure upon the trial, accusation, and custody, confinement and punishment therein.

By Everett: A Bill for An Act to secure to the several Counties interest

on County moneys by depositing the same in Banks; defining the duties of the County Treasurers and County Commissioners, County Clerks and Recorders and County Attorneys in relation thereto, prescribing the security to be given and for the approval thereof prescribing penalties for the violation by a County Treasurer and others of a provision of this Act or any other Act relating to County moneys, and for the failure on the part of a County Treasurer to perform the duties required of him, and repealing all laws in conflict herewith.

By White: An Act prescribing the manner in which Directors, Trustees and other officers of a Corporation may resign.

By White: A Bill for an Act in relation to Banks.

By White: A Bill for an Act entitled "An Act in relation to making loans to officers by banks.

By Miles: A Bill to provide for the organization, regulation and inspection of Building and Loan Associations.

By Miles: A Bill for "An Act creating State Fish Hatcheries and providing for its maintenance."

By Martien: A Bill for an Act to provide for the taxation of mortgages, deeds of trust, contracts and other obligations by which a debt is secured, and to create a lien for such taxes upon the property affected.

On motion of White Senate resolved itself into Committee of the Whole to consider business on the General File, with

Miles in the chair.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, January 28, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that H. B. No. 14 be concurred in.

That Senate Bill No. 11 be amended by striking out all of Line 7 and 8 of Section 1, and by substituting the figure 2 for the figure "3" at the beginning of Line 9 of said Section, also by inserting in the first line of Section 2 (being Line number 17 of said Bill as printed) after the figures "4072" the following numbers to-wit: 4060, 4073, 4076, 4078, 4080 and 4075 (as amended by H. B. No. 167 of the Fifth Legislative Assembly of Montana, approved March 6th, 1897), that the title be amended to read as follows:

"An Act to amend Section 4064 of the Political Code of the State of Montana as said Section is amended by H. B. No. 80 of the Seventh Legislative Assembly, approved March 4, 1901, and to repeal Sections 4072, 4060, 4073, 4076, 4078 and 4080 of the Political Code of Montana and to repeal Section 4075 of the Political Code of Montana, as amended by H. B. No. 162 of the Fifth Legislative Assembly, approved March 6th, 1897, relating to merchants, professional and occupation licenses.

And that as amended do pass.

That Senate Bill No. 16 do pass.

That Senate Bill No. 17 do pass.

MILES, Chairman.

H. B. No. 14 referred to calendar for third reading.

Senate Bills Nos. 11, 16 and 17 referred to Engrossing Committee.

H. B. No. 14, by Moore, was read a third time and concurred in by the following vote:

Ayes—Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, Rae, Romney, Sanders, Tooley, Truscott, White—25.

Noes—None.

Absent and not voting—Albright, McLean—2.

Title agreed to.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

TWENTY-FIRST DAY

Helena, Montana, January 29th, 1907.

Senate convened at 10:30 A. M.

President in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

A communication was received and read from the Gallatin Valley Commercial Club of Bozeman, Montana, requesting the presence of the Tenth Legislative Assembly, the second and third of February, 1907.

The Secretary was ordered to notify the Gallatin Valley Commercial Club of the receipt of their invitation, and to thank them for same.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, January 29th, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bills No. 28, 20, 32, 14, 22, 23 and 38, correctly printed.

SANDERS, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, January 29th, 1907.

Mr. President:

Your Committee on Labor and Capital to whom was referred Senate Bill No. 12, beg leave to report and recommend that the same be indefinitely postponed; for the reason that a similar Bill has already passed the House.

McCARTHY, Chairman.

Report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, January 28th, 1907.

Mr. President:

Your Committee on Labor and Capital to whom was referred House Bill No. 58, beg leave to report and recommend, that the title be amended by inserting the words "Sanders and" before the word Miller. By adding another Section to be known as Section 3, to read as follows:

Section 3. The provisions of Section One of this Act shall not apply to relief or wreck trains,

That Section 3 be amended so as to read, Section 4.

That Section 4 to be amended so as to read "Section 5." And that as amended the Bill be concurred in. McCARTHY, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, January 29th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill numbered 61, beg leave to report as follows:

That they have had the same under consideration and report that the same be concured in.

Respectfully submitted,

McCONE, Chairman.

Report adopted, and Bill referred to General File.

Senate Chamber, Helena, Montana, January 29th, 1907.

Mr. President:

Your Committee on Stockgrowing and Grazing, to whom was referred Senate Bill numbered 37, beg leave to report as follows:

That they have had the same under consideration and recommend that it do not pass. Respectfully submitted,

BIELENBERG, Chairman.

On motion of McCone report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, January 29th, 1907.

Mr. President:

Your Committee on Stockgrowing and Grazing to whom was referred Senate Bill numbered 18, beg leave to report as follows:

That they have had the same under consideration and report that while they believe some method should be adopted to verify or check up the work done by stock inspectors stationed at Chicago, they think that the provisions of Senate Bill No. 18 would prove too cumbersome and expensive in actual operation and recommend that it do not pass.

Respectfully submitted,

BIELENBERG, Chairman.

Report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, January 29th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 62, beg leave to report as follows:

That they have had the same under consideration and recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted, and Bill referred to General File.

Senate Chamber, Helena, Montana, January 29th, 1907.

Mr. President:

Your Committee on Counties and Towns, to whom was referred Senate Bill numbered 36, beg leave to report as follows:

We have had the same under consideration and recommend that the same be printed. Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 28th, 1907.

Mr. President:

Your Committee on Mines and Mining, to whom was referred Senate Bill No. 39, being a Bill for an Act entitled: A Bill for an Act providing for the submission to the qualified electors of the State of Montana, of an amendment to Section 3, of Article XII, of the Constitution, relating to taxation of mines and mining claims, beg leave to report: That they have duly considered said Bill and respectfully recommend that the Bill do not pass.

HARPER, Chairman.

Moved by Harper that report of Committee be adopted and Bill be indefinitely postponed.

Everett offered as a substitute motion that the report of the Committee be not adopted and that S. B. No. 39 be re-referred to Committee on Judiciary.

Substitute motion carried and Bill re-referred to Judiciary Committee.

Following communications from the House received and read:

House of Representatives, Helena, Montana, January 28th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were this day received:

By Walker: A Bill for an Act entitled "An Act to amend Section 4596 of the Political Code of the State of Montana, relating to the annual compensation allowed Deputies or assistants to County Officers."

By Walker: A Bill for an Act entitled "An Act to amend Sections 4597 and 4602 of the Political Code of the State of Montana as amended by an Act entitled "An Act to amend Sections 4597 and 4602 of the Political Code of the State of Montana, relating to the number of deputies allowed County Officers."

By Seidler: A Bill for an Act entitled "An Act to amend Article II, Chapter VI, Part III, Title III, of the Political Code relating to the duties of the County Superintendent of Schools, adding a Section to be known as 1745, regarding the school Census and providing penalties for the violations of the provisions thereof.

By Miller of Park: A Bill for an Act to amend Section 529 of the Penal Code of the State of Montana, relating to fictitious papers.

By Hyndman: A Bill for an Act to amend Section 4658 of the Political Code relating to witness fees of experts.

By Seidler: A Bill for an Act entitled "An Act to amend Paragraph 3 of Section 1830, Chapter VI, Article VI, Part III of Title III of the Political Code of the State of Montana, as amended by an Act of the Legislature approved March 14, 1901, relating to the taking of the School Census.

By O'Connor: A Bill for an Act to amend Section 66 of the Code of Civil Procedure of the State of Montana, respecting the Jurisdiction of Justices of the Peace.

By Weed: A Bill for an Act to require an annual accounting of surplus of Life Insurance Companies as to policies heretofore issued.

By Whiteside: A Bill for an Act relating to delinquent children and those responsible therefor, and fixing the penalties for the violations of said Act.

By Whiteside: A Bill to add two Sections to Part III, Title VII, of the Code of Civil Procedure relating to roads.

By Whiteside: A Bill to authorize the Executive Board of the Montana

Agricultural College to establish a sub-station for carrying on experiments in Horticulture.

By Wendel: A Bill entitled "A Bill for an Act to amend "An Act providing for the payment of indebtedness and expenses hereafter incurred by Cities, the indebtedness of which exceeds the limit provided in Section 6, Article XII of the Constitution of the State of Montana, and further providing for the levy and collection of taxes for such purposes, approved February 24, 1903."

By Duncan: A Bill for an Act to amend Sections 3070 and 3071 of the Political Code of Montana, as amended by an Act approved March 6th, 1903, relating to the bounties for the killing of certain wild animals.

By Duncan: A Bill for an Act entitled "An Act to amend Section 7 of Chapter 52 of the Session Laws of 1905, approved March 1st, 1905, relating to the time, within which wild geese, wild ducks, brant, and swan, may not be shot or killed.

By Duncan: A Bill for an Act to add a new Section to the Code of Civil Procedure of Montana, to be known as Section 644, and to provide for the time within which summons and other process and orders must be filed after service.

By Marshall: A Bill for an Act entitled "An Act appropriating money for the erection and completion of a library building at the University of Montana, at Missoula, Montana, for enlarging the heating plant at said University and extending and completing the cement walks on the grounds thereof."

By Marshall: A Bill for an Act entitled "An Act concerning the redemption and payment of County, School District, State and other bonds, held by the State,"

By Marshall: A Bill for an Act amending Section 3162 of the Code of Civil Procedure as the same was amended by an Act of the Fifth Legislative Assembly of the State of Montana, Approved March 19, 1897."

By Griffin: A Bill for an Act regarding gambling and to prohibit certain games and the possession and use of certain implements and appliances and the using and leasing of any premises for gambling purposes, to provide for the enforcement of this Act, and to provide civil and criminal liabilities, and penalties for violations of its provisions and civil actions for the recovery of money lost in any of the games herein prohibited, and to repeal and prohibit City and Town Ordinances on the subject, and to repeal the Act approved March 15, 1901, entitled: "An Act to prohibit gambling within the State of Montana, to provide penalties for violations of this Act, and repealing an Act of the Fifth Regular Session of the State of Montana, and to provide penalties for the violations of the provisions thereof, and to repeal all laws in conflict with this Act," and conflicting Acts.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 28th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced and read first and second times:

By Weed: H. B. No. 132. A Bill for an Act to prohibit misrepresentation by Life Insurance Companies.

By Committee on Appropriations: H. B. No. 133. A Bill providing for the payment of deficiency claims in certain State Offices.

By Shaw: H. B. No. 134, a Bill for an Act to allow traveling expenses of County Superintendents of Schools.

By Shaw: H. B. No. 135. A Bill for an Act defining warehouse men, prohibiting the issuance and sale of negotiation of duplication, substitute, pretend, or non-negotiable warehouse receipts and prescribing the punishment for violations thereof.

By Miller of Lewis and Clark: H. B. No. 136. A Bill for an Act requiring all Railroad Companies operating in the State of Montana to keep a watchman at the grade crossings of all generally traveled Streets over which trains pass or switching is done as often as once in three hours in towns and Cities of not less than two thousand (2000) inhabitants, from 6 o'clock A. M. until 8 o'clock P. M. and providing penalties for failure so to do.

By Miller of Lewis and Clark, by Request: H. B. No. 137. A Bill for an Act appropriating money for the payment of deficiency claim of the Secretary of the State Text-book Commission for expenses incurred.

By Boorman: H. B. No. 138. A Bill for an Act entitled "An Act requiring all saloons and places where liquors are sold under a liquor license issued under the laws of Montana, to be and remain closed, from and after 12 o'clock, midnight, until 6 o'clock the following morning.

By Duncan: H. B. No. 139. A Bill for an Act entitled "An Act to compel corporations, Associations or persons operating railroads or railways in the State to furnish cars and power to move shipments of property in car load lots, to provide for the recovery of penalties and damages for failure so to do, and to prevent discriminations against shippers in furnishing cars and power to move their property."

By Marshall: H. B. No. 140. A Bill for an Act to create a State Textbook Commission for the purpose of adopting and maintaining a uniform series of text books, for the Public Schools of Montana, to regulate the price of same, define the duties and powers of said Commission, appropriating the sum of money named therein for the expenses of said Commission.

By Seidler: H. B. No. 141. A Bill for an Act to amend Section 1742 of the Political Code of Montana, realting to County Superintendents, and their necessary traveling expenses, when engaged in visiting schools, said Section being now in force as amended by Act of the Seventh Legislative Assembly and approved March 14th, 1901, the foregoing Section being contained in Part IH, Title III, Chapter VI, Article II of the Political Code of Montana.

By Macaulay: H. B. No. 142. A Bill for an Act entitled "An Act to provide for the compensation of State Offices.

By Whiteside: H. B. No. 143. A Bill for an Act entitled "An Act to create a Commission to be known as the Montana State Fish Commission, naming the State Game Warden, as a member of said Commission, and providing for the appointment of two other members of said Commission by the Governor, fixing the duties and compensation of said Commission, and authorizing them to locate, construct, and equip a State Fish Hatchery, to regulate the distribution of the product of said Hatchery, and to appropriate money from the Game and Fish Fund for all of said purposes.

By Goff: H. B. No. 144. A Bill for an Act entitled "An Act to amend Section 2942 of the Political Code relating to the publication of marks and

brands, to provide for the auditing of the books of the Stock Association, and to provide for the distribution of any interest accruing on the estray fund."

By Miller of Park: H. B. No. 145. A Bill for an Act entitled "An Act to authorize the State of Montana to become indebted in excess of one hundred thousand dollars, and provide for the issuance of bonds in the name of the State for the redemption of bonds heretofore executed and issued by the State Board of Land Commissioners for the use and benefit of various State Educational Institutions, and also to make whole the various funds of the various State Educational Institutions."

By Weed: H. B. No. 146. A Bill for an Act to prevent discrimination by Life Insurance Companies and providing penalties for violation thereof.

By Miller of Park: H. B. No. 147. A Bill for an Act entitled "An Act to provide for the protection of Fish and Game in the State of Montana.

By Committee on Appropriations: H. B. No. 148. A Bill for an Act entitled "An Act to establish a State Bureau of Vital Statistics, placing the same under the supervision of the Secretary of the State Board of Health, describing the duties of the Secretary of the State Board of Health, and the duties of the Subordinate officers of the State Board of Health relative thereto, and fully providing for the registration of births and deaths, and other statistical matter relative to Sanitary affairs, and providing for sub-registers and providing for the pay therefor."

By Weed: H. B. No. 149. A Bill for an Act regulating Life Insurance Companies and prohibiting a diversion of funds for political purposes.

By Allen: H. B. No. 150. A Bill for an Act entitled "An Act to amend Section 4642, and 4643 of the Political Code of the State of Montana, relating to the fees allowed by the Board of County Commissioners to Justices of the Peace in Criminal cases, and providing for a fee for the serving of summons."

By Scallon: H. B. No. 151. A Bill for an Act providing regulations for saloons, and prohibiting wine-rooms in or in connection with saloons, prohibiting of wine-rooms by females or the admission of females to wine-rooms, and prohibiting females being in saloons for the purpose of being supplied with liquor, and prohibiting certain signs in connection with saloons, and providing for the enforcement of this Act and penalties for its violation.

By Allen: H. B. No. 152. A Bill for an Act entitled "An Act to amend Section 1783 of the Code of Civil Procedure of the State of Montana, relating to the fees paid Justices of the Peace.

By Leighton: H. B. No. 153. A Bill for an Act to amend Section 603 of the Political Code of the State of Montana, relating to the refusal to grant certificates to practice medicine and surgery by the State Board of Medical Examiners providing for the revocation of such certificates, and prescribing the procedure on appeal from the action of the State Board of Medical Examiners.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 28th, 1807.

Mr. President:

I am diretced by the House to inform your Honorable Body that House Bills Nos. 32, 55, 71 and 72 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

The following Bills were read first and second times:

H. B. No. 32: By Brewster. A Bill for an Act entitled "An Act to provide for the inspection of cattle to be removed from the State of Montana."

Referred to Committee on Stock Growing and Grazing.

On motion of Tooley the following Bill, being an appropriation Bill, was read by title only:

H. B. No. 55: By Committee on Appropriations. A Bill for an Act entitled "An Act authorizing the payment of certain claims for bounty and appropriating money from the State Bounty fund for the payment thereof."

Referred to Committee on Stockgrowing and Grazing.

H. B. No. 71: By Committee on Appropriations. A Bill for an Act entitled "An Act appropriating money for the payment of certain deficiency claims in connection with the State Auditors office.

Referred to Committee on Finance and Claims.

H. B. No. 72: By Committee on Appropriations. A Bill for an Act entitled "An Act appropriating money for the payment of certain deficiency claims in connection with the State Examiner's office."

Referred to Committee on Finance and Claims.

S. B. No. 45: By Martien. A Bill for an Act to provide for the taxation of mortgages, deeds of trust, contracts and other obligations, by which a debt is secured, to create a lien for such taxes upon the property affected.

Referred to Judiciary Committee.

On motion of Annin Senate Bill No. 16 was withdrawn from Committee on Engrossed Bills, and re-referred to General File.

On motion of Donlan Senate Bill No. 13 was withdrawn from the calendar for third reading and re-referred to General File.

Following notices of introduction of Bills were given:

By Romney: A Bill providing for the admission of destitute and disabled pioneers of Montana to the State Soldiers Home.

By Martien: A Bill for an Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 15 of Article XII of the Constitution of the State of Montana, relating to State and County Boards of Equalization.

Moved by Miles that Senate resolve itself into Committee of the Whole to consider business on the General File with Rae in the chair.

Rae offered as a substitute motion, that Senate resolve itself into Committee of the Whole with Tooley in the chair.

Motion carried.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, January 29th, 1907.

Mr. President:

Your Committee of the Whole, having had under consideration the General File of Bills instruct me to report and recommend that:

S. B. No. 7 do pass.

H. B. No. 7 be amended by inserting after the word "Montana", in line 2 of Section 1, the words "As amended by Senate Bill No. 104 of the Sixth Legislative Assembly", and that as amended it be concurred in.

That S. B. No. 15 do pass.

That S. B. No. 19 do pass.

That S. B. No. 24 be amended in Section I by striking out in line 15 of said Bill as printed, the following words "following the line of the channel changes, made and to" and in line 16, the following words "be made in said river", that the Title be amended to read "A Bill for an Act to amend Section 4120 of the Political Code of Montana, defining the boundaries of Fergus County, Montana, so as to include the territory acquired by it under the provisions of an act entitled, 'an act providing for the extension of the Northern boundary of Fergus County' approved March 14, 1899", and that as amended it do pass.

That S. B. 25 be amended by inserting the word "domestic" between the words "every" and "corporation" in line 2 of printed Bill, also in line 11, by adding after the word "debts" *or judgments* and in line 12 strike out the word "contracted" and add *or in anywise incurred*, and that as so amended it do pass.

That S. B. No. 29, be amended by inserting the word "crossings" in line 15 after the word "Y's" and that as amended it do pass.

That S. B. No. 30 do pass.

That S. B. No. 13 be amended as follows: In section 5 on line 18 after word "hundred" insert "twenty-five", making read "one hundred twenty-five", also amend Section 10, by striking out the words in lines 38 and 39 "the Secretary shall be vested with the" and inserting in lieu thereof the words "the secretary is hereby vested with authority to make arrests of any person or persons violating any provision of the laws relating to wrongs to Children and dumb animals, and is hereby further vested with", and that as amended it do pass.

TOOLEY, Chairman.

Report adopted. House Bill No. 7 referred to calendar for third reading.

Senate Bills numbers 7, 15, 19, 24, 25, 29, 30 and 13 referred to Committee on Engrossed Bills.

Moved by Long that the President be directed to issue a requisition on the Secretary of State to furnish a copy of all Session Laws for use in the Senate Chamber.

Motion carried.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

TWENTY-SECOND DAY

Helena, Montana, January 30th, 1907.

Senate convened at 10:30 A. M.

President in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Cowgill and Glidden reported for roll call.

A protest from the Great Falls Rod and Gun Club aaginst the passage of

House Bill No. 68, relative to repealing the present game law was received, read, and referred to Committee on Fish and Game.

Also, a protest from the Great Falls Anglers' Club, against the passage of House Bill No. 68, was received, read and referred to Committee on Fish and Game.

A Memorial from the Silver Bow Bar Association, and a petition of its President and Secretary together with copies of certain proposed bills which they believe would be of great benefit to a majority of the people of Montana, was received, read, and referred to Judiciary Committee.

Printing Committee reported as follows:

Senate Chamber, Helena, Montana, January 30th, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bill No. 1 correctly printed.

SANDERS, Chairman.

Report adopted. Bill referred to General File.

Following Bills were read first and second times:

S. B. No. 46, by White: A Bill for an Act prescribing the manner in which directors, trustees, and other officers of a Corporation may resign.

Referred to Committee on Corporations other than Municipal.

S. B. No. 47, by White: A Bill for an Act entitled "An Act in relation to making loans to officers of Banks.

Referred to Committee on Corporations other than Municipal.

S. B. No. 48, by Martien: A Bill for an Act to provide for the submission to the qualified electors of the State of Montana an amendment to Section 15 of Article XII of the Constitution of the State of Montana, relating to State and County Boards of Equalization.

Referred to Committee on Judiciary.

S. B. No. 49, by Everett: A Bill for an Act to secure to the several Counties interest on County moneys depositing the same in Banks; defining the duties of the County Treasurers, and County Commissioners, County Clerks and Recorder, County Attorneys in relation thereto; prescribing the security to be given and providing for the approval thereof; prescribing the penalties for a violation by a County Treasurer, and others of the provisions of this or any other Act relating to County moneys, and for a failure on the part of the County Treasurer to perform the duties required of him herein, and repealing all laws in conflict herewith.

Referred to Committee on Counties, Towns and Municipal Corporations.

S. B. No. 50, by Miles by Request: A Bill for an Act to amend Sections 17 and 25 and to repeal Sections 10, 11, 12, 13, 14, 21, 22, and 27 of Senate Bill No. 64 "an Act to provide for the organization, regulation and inspection of Building and Loan Associations, and to repeal Sections 770 to 790 inclusive, and 800 to 845 inclusive of the Civil Code of Montana," Approved March 4, 1897.

Referred to Committee on Judiciary.

S. B. No. 51, by Muffly: A Bill for an Act to provide for the establishment of guide boards at forks of Public Roads; defining the duties of County Commissioners, therein, and providing a penalty for defaceemnt or injury to said guide boards.

Referred to Committee on Roads, Highways, and Bridges.

On motion of White the rules were suspended and the following Bills read by title only:

S. B. No. 52, by Edwards: A Bill for an Act entitled "An Act to provide for the creation, establishment, organization, management and control of Irrigation districts, and authorizing the incurring of indebtedness and issuance of Bonds, making assessments, exercising the right of Eminent Domain, and prescribing methods of procedure.

Referred to Committee on Irrigation and Water Rights.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, January 29th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were this day received:

By Blake: A Bill for an Act to amend Sections 4648 of the Political Code of Montana relating to the fees and mileage of witnesses.

By Cummings: A Bill for an Act approving Bounty claims of Stockman's National Bank, of Ft. Benton, Montana, and providing for payment thereof.

By McManus: A Bill for an Act for the prevention of mining frauds.

By Moore, by Request: A Bill for an Act to amend Section 2391 of Chapter III, Article I, Part III, Title V, of the Political Code of Montana, to repeal Section 2396, relating to the Librarians, and their salaries, and to add a certain new Section to said Chapter III, to be designated as Section 2401 relating to assistant Librarians.

By Miller of Park: A Bill for an Act entitled "An Act prescribing regulations for opening, operating, platting, general conduct and management of coal mines and mining, prescribing penalties, and repealing Article I, Chapter 20, Part III, Title VII, (Section 3350 to 3365) of the Political Code of Montana relating to the regulation of coal mines."

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 29th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced, and read first and second times:

By Whiteside: H. B. No. 170. A Bill for an Act entitled "An Act to authorize and direct the executive Board of the Montana Agricultural College to establish a sub-station for the purpose of carrying on experiments in Horticulture, and to appropriate money therefor.

By Duncan: H. B. No. 171. A Bill for an Act entitled An Act to amend Section 7 of Chapter 52, of the Session Laws of 1905, approved March 1st, 1905, relating to the time within which wild geese, wild ducks, brant or swan may be shot or killed.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 29th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Seidler: H. B. No. 168. A Bill for an Act entitled "An Act to

amend Paragraph 3 of Section 1830, Chapter VI, Article VI, Part III, of the Political Code of the State of Montana, as amended by an Act of the Legislature, approved March 14, 1901, relating to the taking of the School Census.

By Whiteside: H. B. No. 169. A Bill for an Act entitled "An Act to amend Part III, Title VII, of the Code of Civil Procedure, by adding thereto Sections 2234, and 2235 relating to the taking of land for temporary banking grounds or for temporary logging roads, requiring that the length of time for which such lands are taken, and the dates shall be fixed by the Commissioners or Court and that after the expiration of such time the said lands shall revert to the party from whom the same was taken. Requiring that any lessee of such lands be made party to any such action, and empowering the Court to apportion any compensation to be received between the various parties in interest.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 29th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced and read first and second times:

By Committee on Appropriations: H. B. No. 154. A Bill for an Act appropriating money for the payment of deficiency claims of certain persons for services rendered and material furnished the State Veterinarian.

By Macaulay: H. B. No. 155. A Bill for an Act entitled "An Act to regulate the licensing of Itinerant vendors and to fix the amount of such licenses.

By Walker: H. B. No. 156. A Bill for an Act entitled "An Act to amend Sections 4597 and 4602 of the Political Code of the State of Montana, as amended by an Act entitled "An Act to amend Section 4597 and 4602 of the Political Code of the State of Montana, relating to the number of deputies allowed County Officers," approved March 3, 1905, and as amended by an Act entitled an "Act relating to the number of deputies allowed County Auditors in Counties of the first class and fixing the compensation of same", approved March 4, 1905, and as amended by an Act entitled an Act relating to the number of assistants allowed the Clerk of the District Court, in Counties of the First Class", approved March 4, 1905, and as amended by an Act entitled "An Act fixing the maximum number of Deputy Sheriffs in Counties of the First Class and the Maximum Annual Compensation thereof", approved March 4, 1905, and as amended by an Act entitled "An Act relative to number of Assistants allowed Treasurers in Counties of the first class, and fixing the compensation allowed said deputies and Assistants in Counties of the First Class, Approved March 4, 1905; and to repeal an Act entitled "An Act to amend Sections 3 and 4, of an Act, entitled "An Act concerning the compensation of County, District and Township Officers", approved March 6, 1891, approved March 2, 1893, and to repeal an Act entitled "An Act to amend an Act entitled "An Act concerning the compensation of County District and Township Officers", approved March 9, 1893.

By Walker: H. B. No. 157. A Bill for an Act to amend Section 4596 of the Political Code of Montana, relating to the annual compensation allowed deputies or assistants to County Officers, as amended by an Act entitled: "An Act relating to the number of deputies allowed County Auditors in counties of the first class and fixing the compensation of the same, approved March 4, 1905,

and as amended by an Act entitled "An Act relating to the number of Assistants allowed the Clerk of the District Court, in Counties of the first class, and fixing the compensation allowed to said Deputies and assistants in counties of the first class, approved March 4, 1905; and to repeal an Act entitled "An Act to amend Sections 3 and 4 of an Act entitled: "An Act concerning the compensation of County, District and Township Officers", approved March 6, 1891", approved March 2, 1891", and to repeal an Act entitled "An Act concerning the compensation of County, District and Township Officers", approved March 9, 1893."

By Marshall: H. B. No. 158. A Bill for an Act entitled "An Act appropriating money for the erection and completion of a Library Building for the University of Montana at Missoula, Montana, for enlarging the heating plant and connecting the same with the Library Building and for cement walks neecssary to connect said Library with other buildings at said University, and with the street, and for certain improvements on University grounds.

By Marshall: H. B. No. 159. A Bill for an Act entitled "An Act to amend Section 3162 of the Code of Civil Procedure as the same was amended by an Act of the Fifth Legislative Assembly of the State of Montana, approved February 19, 1897, relating to witnesses."

By Wendel: H. B. No. 160. A Bill for an Act to amend an Act providing for the payment of the indebtedness and expense hereafter incurred by Cities, the indebtedness of which exceeds the limit provided in Section 6, Article XIII of the Constitution of the State of Montana, and further providing for the levy and collection of taxes for such purposes", approved February 24, 1903.

By O'Connor: H. B. No. 161. A Bill for an Act to amend Section 66 of the Code of Civil Procedure of the State of Montana, respecting the Civil Jurisdiction of Justices of the Peace.

By Allen: H. B. No. 162. A Bill for an Act entitled "An Act appropriating money for the payment of claims of certain persons against the State of Montana for losses arising from the slaughtering of deceased animals under the provisions of Sections 3005 and 3006 of the Political Code of Montana.

By Hyndman: H. B. No. 162: A Bill for an Act entitled "An Act to amend Section 4658 of the Political Code of Montana relating to witness fees of experts."

By Miller of Park: H. B. No. 164. A Bill for an Act to amend Section 529 of the Penal Code of Montana relating to fictitious papers.

By Seidler: H. B. No. 165. A Bill for an Act entitled "An Act to amend Article II, Chapter VI, Part III, Title III, of the Political Code relating to the duties of County Superintendents of School, adding a Section to be known as Section 1745 regarding the School Census, and providing penalties for the violations for the provisions thereof."

By Cutler: H. B. No. 166. A Bill for an Act entitled, "An Act relating to the sale of merchandise in bulk.

By Duncan: H. B. No. 167. A Bill for an Act to add a Section to the Code of Civil Procedure of Montana, to be known as Section 644 and to provide a time within which summons and other process and orders must be filed after service.

Respectfully,

NATHAN GODFREY, Chief Clerk.

On motion of Donlan Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

Long in the chair.

Committee arose.

Senate resumed.

President in the chair.

After giving notice President signed House Bill No. 14.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, January 30, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

S. B. No. 14 do pass.

That S. B. No. 20 do pass.

That S. B. No. 22 be indefinitely postponed.

That S. B. No. 23 be indefinitely postponed.

That S. B. No. 28 be amended in Section 20 by striking out on line 192 of the Bill as printed the words "one year" and substituting in lieu thereof the words "eighteen months", also by striking out the title thereof and substituting in lieu thereof the following:

"A Bill for an Act to establish County Free High Schools and to provide for their maintenance, and repealing "An Act to establish County Free High Schools and provide for their maintenance", approved March 3, 1899, and repealing "An Act to amend Sections 2, 3, 4, 6, 8, 11, 12, 13, 14, 16, 17 and 19 and to repeal Sections 21 and 22 of Substitute for House Bill No. 69, "An Act to establish County Free High Schools and to provide for their maintenance, approved March 3, 1899, and to re-number certain Sections of said Act, "Approved March 14, 1901; also repealing Chapter LXIX of the Laws of 1903, entitled "An Act to amend Sections 2 and 3 of Senate Bill number 37, as enacted by the Seventh Legislative Assembly of the State of Montana relating to the election of Trustees of the County Free High Schools", approved March 5, 1903, an dto validate everything done under any of said Acts of March 3, 1899, March 14, 1901, and March 5, 1903." Also in Section 6, line 78, after the word "Commissioners" by adding the following: "Who shall fill such vacancies within sixty days thereafter." And as amended that the Bill do pass.

That S. B. No. 32 do pass.

That S. B. No. 38 do pass.

That H. B. No. 61 be concurred in.

That H. B. No. 62 be concurred in.

LONG, Chairman.

Report adopted.

Senate Bills 14, 20, 22, 23, 28, 32, 38, referred to Committee on Engrossed Bills.

House Bills 61 and 62 referred to calendar for Third Reading.

By unanimous consent House Bills Nos. 7, 61 and 62 were considered read a third time at length, read by title, and concurred in by the following vote:

H. B. No. 7, by Boorman.

Ayes—Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles,

Muffly, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting—McCarthy.

Title agreed to.

H. B. No. 61, by Committee on Appropriations.

Ayes—Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting—Donlan, McCarthy.—2.

Title agreed to.

H. B. No. 62, by Committee on Appropriations.

Ayes—Annin, Bielenberg, Cardwell, Cowgill, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting—Albright, Donlan, Edwards.—3.

Title agreed to.

Referring back to the Ninth Order of Business, the following notices of introduction of Bills were received and read.

By Martien: A Bill for an Act to provide for the submission to the qualified electors of the State of Montana for an Act, amending Section 13, Article XII of the Constitution of the State of Montana relating to the responsibility of the State Treasurer.

By Muffly: A Bill for an Act to create and establish a Board of Railroad Commissioners for the State of Montana; providing for the appointment of the members thereof and defining their powers and duties, and providing remedies for the enforcement of the provisions of this Act and penalties for the violation thereof.

Notice of the following resolution was given by White.

Resolved, that the Attorney General be requested to inform the Senate whether or not, under Article V, Section 44, of the Constitution of the State of Montana, a Senator who is required to pay an occupation tax or license under the present law has a right to vote on a bill for the repeal of such occupation tax.

On motion of Annin the Secretary was instructed to extend the thanks of the Senate to Mrs. Laura E. Howey for carnations and to Mr. F. M. Bingham for cigars.

Adjourned until 11:00 A. M. tomorrow.

H. K. HOWRY, Secretary.

TWENTY-THIRD DAY

Helena, Montana, January 31st, 1907.

Senate convened at 11 A. M.

President in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, January 30th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bills numbered 32, 15, 19, 11 and 38, beg leave to report as follows:

That the same are correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted. Bills referred to Calendar for third reading.

Senate Chamber, Helena, Montana, January 30th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bill Numbered 17, beg leave to report as follows:

That the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for third reading.

Senate Chamber, Helena, Montana, January 30th, 1907.

Mr. President:

Your Committee on Labor and Capital to whom was referred Senate Bill No. 21, a Bill for an Act entitled "An Act to amend Section 552, of Article 14, of Chapter 3, of Title 1, of Part 3 of the Political Code of the State of Montana, relating to the Inspector of Boilers beg leave to report back and recommend that the same do pass.

McCARTHY, Chairman.

Report adopted. Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 31, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill No. 64, An Act appropriating money for the payment of deficiency claims of certain persons for services rendered and supplies furnished the State Orphans Home, beg leave to report that they have had the same under consideration and recommend that the Bill be concurred in.

McCONE, Chairman.

Report adopted. Bill referred to General File.

Senate Chamber, Helena, Montana, January 31st, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill No. 71, an act appropriating money for the payment of certain deficiency claims in connection with the State Auditor's Office, beg leave to report that

they have the same under consideration and recommend that the Bill be concurred in.

McCONE, Chairman.

Report adopted. Bill referred to General File.

Senate Chamber, Helena, Montana, January 31st, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill No. 72, an Act appropriating money for the payment of certain deficiency claims in connection with the State Examiner's Office, beg leave to report that they have had the same under consideration, and recommend that the same be concurred in.

McCONE, Chairman.

Report adopted. Bill referred to General File.

Senate Chamber, Helena, Montana, January 31st, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, having had under consideration Senate Bill No. 46, report back that the bill do pass with the following amendment: After the words "*shall become effectual*", insert the following: "That there shall be published for thirty days in the State and County Official papers, where said company may be doing business, a notice of said resignation."

MILES, Chairman.

On motion of White report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 31st, 1907.

Mr. President:

Your Committee on Education, to whom was referred Senate Bill No. 41, beg leave to report that they have had the same under consideration, and recommend that the same do pass.

TOOLEY, Chairman.

Report adopted. Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 31st, 1907.

Mr. President:

Your Committee on Education, to whom was referred Senate Bill No. 44, beg leave to report that they have had the same under consideration, and recommend that the same do pass.

TOOLEY, Chairman.

Report adopted. Bill referred to Printing Committee.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, January 30th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day, introduced and read first and second times:

By Committee on Appropriations: H. B. No. 172. A Bill for an Act appropriating money for the payment of deficiency claims in connection with the Meat and Milk Inspector's Office.

By Committee on Appropriations: H. B. No. 173. A Bill for an Act appropriating money for the payment of deficiency claims in connection with the State Veterinarian's Office for Clerical hire.

By Marshall: H. B. No. 174. A Bill for an Act entitled: An Act pro-

viding for the redemption and payment of County, School District, City and Town Bonds, held by the State before the maturity thereof.

By Weed: H. B. No. 175. A Bill for an Act to require an annual apportionment and accounting of surplus of Life Insurance Companies as to policies heretofore issued.

By Blake: H. B. No. 176. A Bill for an Act to amend Section 4648 of the Political Code of Montana, relating to the fees and mileage of witnesses.

By McManus: H. B. No. 177. A Bill for an Act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation, joint stock association, co-partnership or individual, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds or property, or any part thereof, of said corporation, joint stock association, co-partnership or individual, than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor.

By Blake: H. B. No. 178. A Bill for an Act to provide for the payment of the actual necessary expenses of Judges of the District Court when holding court in his district in any County not the county of residence of such judge.

By Miller of Park: H. B. No. 179. A Bill for an Act entitled "An Act prescribing regulations for opening, operating, platting, general conduct and management of coal mines, and coal mining, prescribing penalties, and repealing Article I, Chapter XX, Part III, Title VII, (Sections 3350 and 3365 inclusive), of the Political Code of Montana, relating to the regulation of coal mines.

By Moore, by Request: H. B. No. 180. A Bill for an Act to amend Section 1752 of the Political Code relating to the boundaries of School Districts.

By Moore: H. B. No. 181. A Bill for an Act to amend Section 2391 of Chapter III, Article I, Part III, Title V, Political Code of Montana, to repeal Section 2396 of said chapter relating to librarians and their salaries, and to add a certain new section to said Chapter III, to be designated as Section 2401, relating to assistant librarians and their salaries.

By Committee on Sanitary Affairs: H. B. No. 182. A Bill for an Act entitled "An Act to establish a State Board of Health, subordinate County, City and Town Boards of Health, defining the powers and duties of each, providing for the compensation of the officers and members of each, providing for the enforcement of the rules and regulations, and laws relating to said boards, and to repeal an act entitled "An Act creating a State Board of Health, defining its powers and duties, and providing for the compensation of its officers, and providing for the enforcement of the rules and regulations of said board." Approved March 15, 1901.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 30th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were this day received:

By Macaulay: A Bill to provide for a State Fish Hatchery, and appropriating money therefor.

By O'Connor: A Bill for an Act to amend Section 3960 of the Political Code of Montana, relating to the payment of poll tax.

By O'Connor: A Bill for an Act to amend Section 4747 of the Political Code of the State of Montana, relating to City and Town Wards.

By Morris: A Bill for an Act entitled "An Act to regulate gambling, and prohibit other gambling.

By Swindlehurst: A Bill for an Act to create and establish a Board of Railroad Commissioners for the State of Montana, providing for the appointment of the members thereof, and defining their powers and duties, and providing remedies for the enforcement of the provisions of this Act, and penalties for the violation thereof.

By Gray: A Bill for an Act to amend Chapter 37, Session Laws of 1905, defining law for fences.

By Allen: A Bill for an Act entitled "An Act to authorize the County Commissioners of the State of Montana to pass a resolution to be known as the "Annual Appropriation Resolution", and to provide for County Officers to furnish an itemized estimate of their expenses for the fiscal year, and for fixing a levy for the County.

By Swindlehurst: A Bill for an Act to define "trust" and declaring a trust to be unlawful against public policy and void; to provide criminal penalties for, and civil damages, defense and punishment against persons, corporations, firms, associations, or persons connected with them violating any of the provisions of this Act, and to promote free competition in commerce, and all classes of business in this State.

By Hess: A Bill for an Act entitled "An Act to compel street railway companies to protect certain of their employees from the inclemencies of the weather while performing services, and providing penalties for the violation of the same.

By Weed: A Bill for an Act to provide for the publication of the certificate of the auditor as to the authority of insurance companies to transact business, and for the publication of a condensed statement of their condition in addition thereto.

By Thompson of Fergus, by Request: A Bill making the County Surveyor supervisor of roads and abolishing office of road supervisor.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 30th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 15, 17, 30, 70 and 109 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

Following Bills were read first and second times:

H. B. No. 15, by Miller of Park, by Request. A Bill for an Act entitled "An Act to amend Section 260 of the Code of Civil Procedure relating to the drawing of juries, and the time at which they are required to attend Court.

Referred to Judiciary Committee.

H. B. No. 17, by Wendel: A Bill for an Act entitled "An Act providing

for the submission to the Electors of the State of Montana for their approval or rejection an amendment to Section 6, Article 13 of the Constitution of the State of Montana relating to the indebtedness of Cities."

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 30, by Brownlee: A Bill for an Act entitled "An Act requiring all railroad companies in the State of Montana, to stop all regular passenger trains at each County seat located on the line of said roads in the State of Montana, and providing penalties for the violation thereof."

Referred to Committee on Railroads and Transportation.

On motion of Annin rules were suspended and the following Bill considered read at length, read first and second times by title only:

H. B. No. 70, by Committee on Appropriations: A Bill for an Act entitled "An Act appropriating money for the payment of deficiency claims of the State Encampment of 1905 of the National Guard of Montana."

Referred to Committee on Finance and Claims.

H. B. No. 109, by Committee on Appropriations: A Bill for an Act entitle, "An Act appropriating money for the deficiency claims of certain persons, for supplies furnished account of Farmers Institute."

Referred to Committee on Finance and Claims.

The following Concurrent resolution was received and read:

Senate Concurrent Resoltuion No. 4, by Martien: Be it resolved by the Senate, the House concurring, that the President of the Senate appoint three (3) Senators, and the Speaker of the House appoint three (3) Representatives, to act as a Joint Committee of the Legislative Assembly, to prepare and present a Bill providing for the proper distribution of the money received from the United States on account of Forest Reserve fees, collected and to be distributed to the State, under the Laws of Congress.

On motion of Donlan the above resolution was adopted.

Following notices of introduction of Bills were given:

By Everett: A Senate Joint Memorial memorializing the Congress of the United States to provide for the allotment of Indian Lands and to open the Blackfoot Indian Reservation to settlement.

By Everett: A Bill for an Act authorizing and empowering the Governor and Secretary of State to deed and convey to the United States of America certain lands granted to the said State by the United States under the Carey Land Act, under what is known as the Dearborn patent.

By Donlan: A Bill for an Act to regulate the sale and to prevent the adulteration of foods, drugs, medicines and poisons, and prescribing penalties for the violation thereof.

By Miles: A Bill entitled an Act providing for the submitting to the qualified electors of the State of Montana an amendment prescribing the time and manner for electing County Superintendents of Schools."

The following resolution was offered by White:

Resolved: That the Secretary of the Senate be and he is hereby instructed to prepare twice a week a card showing the present position of all Senate Bills and Joint Resolutions. Also House Bills and Joint Resolutions in the Senate, and that the same be printed for use of the Senate and House.

On motion of White the above resolution was adopted.

Following resolution was offered by White:

Resolved: That the Attorney-General be requested to inform the Senate

whether or not, under Article V, Section 44 of the Constitution of the State of Montana, a Senator who is required to pay an occupation tax or license under the present law, has a right to vote on a bill for the repeal of such occupation tax.

White moved the adoption of the above resolution.

Martien moved to amend the resolution as follows:

"That the Attorney-General be requested also to inform the Senate whether or not under Section 44 of Article 5 of the Constitution, the Senator from Beaverhead has a right to vote on Senate Bill No. 19, appropriating money for the payment of M. S. Gunn for legal services."

Motion carried.

On motion of Everett the resolution as amended was laid on the table.

On motion of Rae S. B. No. 28 was withdrawn from Committee on Engrossed Bills and re-referred to General File for further amendment.

On motion of Martien S. B. No. 1 was taken from the General File and referred to Committee on Finance and Claims.

On motion of Martien Senate resolved itself into Committee of the Whole to consider business on the General File, with

Donlan in the chair.

Committee arose.

Senate resumed.

President in the Chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, January 31, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

S. B. No. 16 be amended in line 6 by striking out the words "One Thousand Dollars" and insert in lieu thereof the words "multiples thereof". In line 7 by striking out the word "in" after the word "Mayor" and insert the words "and the", also strike out the word "and" after the word "city" and insert the word "or". In line 16 strike out the comma between the words "at" and "or". In line 17 strike out the word "as" after the word "warrants" and insert the word "at", and that as amended the bill do pass.

That H. B. No. 58 be amended by striking out the words "Sanders and" after the words "introduced by" in title of bill, and that as amended the Bill be concurred in.

That H. B. No. 71 be concurred in.

That H. B. No. 72 be concurred in.

That S. B. No. 28 be amended in Section 11 by inserting the word "purposes" after the word "other" in line 134 of said Bill as printed.

And that as amended the Bill do pass.

DONLAN, Chairman.

Report adopted. Senate Bill No. 16 referred to Committee on Engrossed Bills.

S. B. No. 28 re-referred to Committee on Engrossed Bills.

House Bills Nos. 58, 71 and 72 referred to Calendar for Third Reading.

Unanimous consent being given the following Bills were considered read a third time at length, rules suspended and Bills read by title only:

S. B. No. 32 was passed by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Cowgill, Everett, Edwards, Fairbanks, Glidden, Haviland, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White. —24.

Noes—None.

Absent and not voting—Donlan, Harper, Long—3.

Title agreed to.

S. B. No. 15 passed by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Haviland, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott.—22.

Noes—Sanders, White.—2.

Absent and not voting—Donlan, Harper, Long.—3.

Title agreed to.

S. B. No. 19 was passed by the following vote:

Ayes—Albright, Bielenberg, Cardwell, Edwards, Fairbanks, Glidden, Harper, Haviland, Martien, Metcalf, Muffly, McCone, Rae, Romney.—14.

Noes—Annin, Cowgill, Miles, McCarthy, McDonnell, McLean, Sanders, Tooley, Truscott.—9.

Absent and not voting—Donlan, Everett, Long, White.—4.

Title agreed to.

Moved by White that S. B. No. 11 be made a special order for 2:30 P. M. the fiftieth day of the Session.

Motion lost.

S. B. No. 11 passed by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Haviland, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—Harper.—1.

Absent and not voting—Long.—1.

Title agreed to.

S. B. No. 38 was passed by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes.—None.

Absent and not voting—Long.—1.

Title agreed to.

S. B. No. 17 was passed by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting—Long.—1.

Title agreed to.

H. B. No. 58 was concurred in by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards,

Everett, Fairbanks, Glidden, Harper, Haviland, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting—Long.—1.

Title agreed to.

H. B. No. 71 was concurred in by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting—Long.—1.

Title agreed to.

H. B. No. 72 was concurred in by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting—Long.—1.

Title agreed to.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

TWENTY-FOURTH DAY

Helena, Montana, February 1st, 1907.

Senate convened at 10:30 A. M.

President in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 1st, 1907.

Mr. President:

Your Committee on Live Stock and Ranges, to whom was referred the following Bills, report that House Bill No. 32 be concurred in, that House Bill No. 55, be also concurred in.

Respectfully submitted,

BIELENBERG, Chairman.

Report adopted. Bills referred to General File.

Senate Chamber, Helena, Montana, February 1st, 1907.

Mr. President:

Your Committee on Elections and Privileges, to whom was referred

Senate Bill numbered 35, beg leave to report as follows: That they have had the same under consideration and recommend that the same do pass.

FAIRBANKS, Chairman.

Report adopted. Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 31st, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bills numbered 7, 14 and 20, beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted. Senate Bills numbered 7, 14 and 20 referred to calendar for third reading.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, January 31st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Cummings: H. B. No. 183. A Bill for an Act entitled "An Act approving bounty claim of Stockmen's National Bank of Ft. Benton, Montana, and providing for the payment thereof.

By Morris: H. B. No. 184. A Bill for an Act entitled "An Act to regulate certain gambling, and prohibit other gambling.

By Griffin: H. B. No. 185. A Bill for an Act regarding gambling, and to prohibit certain games, and the possession or use of certain implements or appliances, and the using or leasing of any premises for gambling purposes, to provide for the enforcement of this Act, and to provide civil and criminal liabilities and penalties for violations of its provisions, and civil actions for the recovery of money lost at any of the games herein prohibited, and to repeal and prohibit City and Town ordinances on the subject, and to repeal the Act, approved March 15, 1901, entitled "An Act to prohibit gambling within the State of Montana, to provide penalties for violations of this Act, and repealing an Act of the Fifth Regular Session of the Legislative Assembly of Montana, approved March 4, 1897, and entitled "An Act to prohibit gambling within the State of Montana, and to provide penalties for a violation of the provisions thereof, and to provide for the enforcement thereof, and to repeal all laws in conflict with this Act", and conflicting Acts."

By Hess: H. B. No. 186. A Bill for an Act entitled "An Act to compel Street Railway companies to protect certain of their employees from inclemencies of the weather, while performing services, and providing penalties for the violation of the same.

By Miller of Park, by Request: H. B. No. 187. A Bill for an Act to amend Sections 1920 to 1925 inclusive of the Political Code as amended by Chapter XLV of the laws of 1903, and Sections 1925 (A) and 1925 (N) of the Political Code as enacted by said Chapter XLV of the laws of 1903, relating to the compulsory education of children, the establishment, equipment and conduct of industrial schools and the care of juvenile disorderly persons.

By Miller of Park, by Request: H. B. No. 188. A Bill for an Act creating a county board of educational examiners, providing for their appointment, fixing their compensation and prescribing their qualifications and duties.

By Thompson of Fergus: H. B. No. 189. A Bill for an Act to define the powers and duties of County Surveyors, and to provide for their compensation, and to abolish the office of Road Supervisor.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 31st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were this day received:

By Cummings: A Bill for an Act entitled "An Act appropriating money for the restoration and maintenance of old Ft. Benton, and providing for the appointment of a Board of Trustees for the management thereof."

By Campbell: A Bill for an Act to amend Section 706 of the Penal Code of the State of Montana, relating to persons who practice medicine or surgery, without first having obtained certificate to practice, and who practice medicine or surgery after their certificate had been revoked, and providing a penalty therefor.

By Campbell: A Bill entitled "An Act to amend Section 606 of the Political Code of the State of Montana, relating to the practice of medicine or surgery contrary to law, providing penalty therefor, and defining what evidence shall be deemed sufficient to constitute the practice of medicine and surgery."

By Brewster: A Bill for an Act entitled "An Act to foster, develop, protect and promote the sheep industry of the State of Montana."

By Brewster: A Bill for an Act to amend Sections 3000 and 3013 of the Political Code, and the Acts amendatory thereof, relating to the appointment of the State Veterinary Surgeon, his qualifications and salary.

By Allen: A Bill for an Act entitled "An Act to amend Sections 4064 of the Political Code of Montana as amended by an Act approved March 4th, 1901, relating to licenses.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 31st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 5, 110, 111, and 112 have been read a third time and passed by the House and herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

Truscott, Bielenberg and Tooley reported for roll call.

Following Bills read first and second times:

H. B. No. 5, by Miller of Park. A Bill for an Act entitled "An Act authorizing the County Commissioners to vacate lots, streets and alleys in village plats when such village shall be abandoned and such lots, streets, and alleys shall cease to be used for public purposes.

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 110, by Committee on Appropriations: A Bill for an Act entitled "An Act appropriating money for the payment of the claim of Board of Charities and reform, for expenses incurred."

Referred to Committee on Finance and Claims.

H. B. No. 111, by Committee on Appropriations: A Bill for an Act entitled "An Act appropriating money for the payment of certain deficiency claims in connection with the Adjutant General's Office.

Referred to Committee on Finance and Claims.

H. B. No. 112, by Committee on Appropriations: A Bill for an Act entitled "An Act appropriating money for the payment of certain deficiency claims in connection with the State Treasurer's Office."

Referred to Committee on Finance and Claims.

S. B. No. 53, by Donlan: A Bill for an Act entitled "An Act to regulate the sale, and to prevent the adulteration of foods, drugs, medicines, and poisons, and prescribing penalties for the violation thereof."

Referred to Committee on Agriculture and Manufacturers.

After giving notice the President signed House Bills Nos. 61 and 62.

S. B. No. 54, by Miles: A Bill for an Act entitled "An Act providing for the submitting to the qualified electors of the State of Montana, and amendment to Section 5, Article 16, of the Constitution of the State of Montana, authorizing the Legislative Assembly of the State of Montana to prescribe the time and manner for electing County Superintendents of Schools.

Referred to Committee on Education.

By unanimous consent Romney was allowed to introduce the following Bill without previous notice:

S. B. No. 55: A Bill for an Act entitled "An Act to empower the Montana State Board of Horticulture to establish a quarantine over any orchard or place where fruits are grown or kept, that is infected with any injurious disease or insect pest, empowering said board to establish rules and regulations governing said quarantine, and fixing the penalty for the violation thereof, to provide for the collection of money expended by the said Montana State Board of Horticulture in the eradication of disease and the insect pests and fruit trees.

Referred to Committee on Horticulture.

S. B. No. 57, by Everett: A Bill for an Act authorizing and empowering the Governor, and Secretary of State of the State of Montana to deed and convey to the United States of America certain lands granted to the said State by the United States of America by Patent numbered 1, Montana Desert Land Segregation. Dated November 11th, A. D. 1907.

Referred to Committee on Public Lands.

Senate Joint Memorial No. 1 by Everett: Memorializing the Congress of the United States to provide for the allotment of Indian lands and to open the Blackfoot Reservation for settlement.

Referred to Committee on Federal Relations.

On motion of Donlan Rules were suspended and Senate Bill No. 56, being A Bill for an Act entitled "An Act to create and establish a Board of Railroad Commissioners for the State of Montana; providing for the appointment of the members thereof, and defining their powers and duties, and providing remedies for the enforcement of the provisions of this Act and penalties for the violation thereof", was read a first and second time by title only, and referred to Committee on Railroads and Transportations.

Referring back to the second order of business, standing Committees reported as follows:

Senate Chamber, Helena, Montana, January 31st, 1907.

Mr. President:

Your Committee on Irrigation and Water rights, to whom was referred Senate Bill No. 8; being a Bill for an Act to amend Section 1884 of the Civil Code of the State of Montana, relating to the use of surplus waters by prior appropriators, beg leave to report:

That they have duly considered said Bill, and respectfully recommend that it do pass.

EVERETT, Chairman.

Report adopted. Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, January 31, 1907.

Mr. President:

Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill numbered 52; being a Bill for an Act entitled "An Act to provide for the creation, establishment, organization, management and control of irrigation districts, and authorizing the incurring of indebtedness and issuance of bonds, making assessments, exercising the right of Eminent Domain, and prescribing methods of procedure", beg leave to report:

That they have duly considered said Bill, and respectfully recommend that the Bill be printed.

EVERETT, Chairman.

Report adopted.

Referred to Printing Committee.

Following Notices of Introduction of Bills were given:

By Sanders: A Bill for an Act to re-apportion the representation of the State, and to fix the number thereof for each County.

By McCone: A Bill for an Act to provide security to the public against errors, omissions, and defects in abstracts of title of real estate, and for the use of abstracts in evidence, and to provide a penalty for the violation thereof.

By Annin: A Bill for an Act entitled "An Act to provide for apportionment of membership and representation of the several Counties of Montana in the House of Representatives of Legislative Assemblies of Montana, and to fix the number of members thereof."

Martien, McDonnell and Albright, were appointed by the President as the Joint Committee to confer with a like Committee from the House to prepare and present a Bill providing for the proper distribution of the money received from the United States, on account of Forest Reserve Fees.

On motion of Glidden Senate resolved itself into Committtee of the Whole to consider business on the General File with,

Edwards in the chair.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 1st, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

H. B. No. 64 be concurred in.

That H. B. No. 32 be concurred in.

That H. B. No. 55 be concurred in. EDWARDS, Chairman.

Report adopted. And Bills referred to calendar for third reading.

Following Bills read a third time and passed by the following vote:

Senate Bill No. 7:

Ayes—Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting—Albright, Everett, McCarthy.—3.

Title agreed to.

By unanimous consent rules were suspended and the following Bills were considered read a third time at length. Read by title only:

S. B. No. 14 was passed by the following vote:

Ayes—Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting—Albright, Everett, Muffly.—3.

Title agreed to.

S. B. No. 20 was passed by the following vote:

Ayes—Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting—Albright, Muffly.—2.

Title agreed to.

H. B. No. 64 was concurred in by the following vote:

Ayes—Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting—Albright.—1.

Title agreed to.

H. B. No. 32 was concurred in by the following vote:

Ayes—Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting—Albright, Donlan, Muffly.—3.

Title agreed to.

H. B. No. 55 was concurred in by the following vote:

Ayes—Annin, Bielenberg, Cardwell, Cowgill, Edwards, Fairbanks, Glidden, Everett, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting—Albright, Donlan.—2.

Title agreed to.

Adjourned until 2 P. M. Monday.

H. K. HOWRY, Secretary.

TWENTY-NINTH DAY

Helena, Montana, February 4th, 1907.

Senate convened at 2 P. M.

President in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 2d, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bills numbered 13, 16, 24, 25 and 29, beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted, and Bills referred to Calendar for third reading.

Senate Chamber, Helena, Montana, February 1st, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 45, being a Bill for an Act to provide for the taxation of Mortgages, Deeds of Trust, Contracts, and other obligations by which a debt is secured, and to create a lien for such taxes upon the property affected, beg leave to report:

That they have duly considered said Bill and respectfully recommend that it be printed.

WHITE, Chairman.

Report adopted. Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 4th, 1907.

Mr. President:

Your Committee on Federal Relations, to whom was referred Senate Joint Resolution numbered One, relation to Election of United States Senators by popular vote, beg leave to report that they had the same under consideration and recommend that it do pass.

MUFFLY, Chairman.

Report adopted. Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 1st, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 48, being a Bill for an Act to provide for the submission to the qualified electors of the State of Montana an amendment to Section 15 of Article XII of the

Constitution of the State of Montana, relating to State and County Boards of Equalization, beg leave to report as follows:

That they have duly considered said Bill, and respectfully recommend that the same be indefinitely postponed.

WHITE, Chairman.

White moved the adoption of the report.

Martien offered as a substitute motion that the report be not adopted and the Bill be referred to the Printing Committee.

Substitute motion was lost and the original motion prevailed.

Senate Chamber, Helena, Montana, February 1st, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred House Bill No. 15, being a Bill for an Act entitled "An Act to amend Section 260 of the Code of Civil Procedure, relating to the drawing of Juries, and the time at which they are required to attend Court", beg leave to report:

That they have duly considered said Bill and respectfully recommend that the same be concurred in.

WHITE, Chairman.

Report adopted. Bill referred to General File.

Senate Chamber, Helena, Montana, February 1st, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 40, being a Bill for an Act entitled "An Act to amend Section 1940a, and 1940b of the Political Code of Montana as enacted by the Fifth Legislative Assembly of the State of Montana, through Senate Bill No. 44, approved March 8th, 1897, and as amended by House Bill No. 191, Session Laws of 1901, approved March 9, 1901, beg leave to report:

That they have duly considered said Bill, and respectfully recommend that the Bill be amended as follows:

Strike out all of Section 1940a as it appears in said Bill and insert in lieu thereof as follows:

Section 1940a. In addition to the provisions for the support of common schools hereinbefore provided, it shall be the duty of the County Commissioners of each County in the State to levy an annual tax of three mills on the dollar of the assessed value of all taxable property, real and personal, within the County, which levy shall be made at the time and in the manner provided by law, for the levying of taxes for County purposes, which tax shall be collected by the County Treasurer at the same time and in the same manner as State and County taxes are collected. For the further support of the common schools there shall also be set apart by the County Treasurer all moneys paid into the County Treasury arising from all kinds of violations of law unless otherwise specified by law. Such money shall be forthwith paid into the County Treasury by the officer receiving the same, and be added to the yearly school fund raised by taxing each County, and divided in the same manner, and that as amended it do pass.

WHITE, Chairman.

On motion of White, report adopted, and Bill referred to Printing Committee.

A communication from His Excellency, the Governor, together with a copy

of a telegram from Henry E. Reed, on February 2, 1907, advising the passage of an appropriation bill for the Alaska-Yukon Pacific Exposition to be held in Seattle in 1909, was received, read, and placed on file.

The following communications from the House were received and read:

House of Rperesentatives, Helena, Montana, February 4th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Mr. Speaker appointed the following committee to confer with a like committee from the Senate, in Senate Concurrent Resolution No. 4: Gray, Cameron and Duncan.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 1st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 91, 92, 93, 94, 95 and 113, having been read a third time and passed by the House, are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 1st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Concurrent Resolution No. 4 having been read a third time and concurred in by the House is herewith returned to the Senate.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 1st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and Second times:

By Campbell: H. B. No. 192. A Bill for an Act to amend Section 606 of the Political Code of the State of Montana, relating to the practice of medicine or surgery contrary to law, providing a penalty therefor, and defining what evidence shall be deemed sufficient to constitute the practice of medicine and surgery.

By Campbell: H. B. No. 193. A Bill for an Act to amend Section 706 of the Penal Code of the State of Montana, relating to persons who practice medicine or surgery without first having obtained a certificate to practice and who praictice medicine or surgery after their certificate has been revoked, and providing a penalty therefor.

By Cummings: H. B. No. 194. A Bill for an Act entitled "An Act appropriating money for the restoration and maintenance of old Ft. Benton, and providing for the appointment of a Board of Trustees for the management thereof."

By Barbour: H. B. No. 195. A Bill for an Act entitled "An Act to amend Section 1000 of the Civil Code of the State of Montana, as amended by an Act of the Ninth Legislative Assembly of Montana." Approved March 2, 1905.

By Swindlehurst: H. B. No. 196. A Bill for an Act to define "Trusts" and declaring a "Trust" to be unlawful and against Public Policy, and void; to provide criminal penalties for and civil damages, defenses and punishment against persons, corporations, firms, associations or persons connected with them, violating any of the provisions of this Act; and to promote free competition in commerce and all classes of business in this State.

By Weed: H. B. No. 197. A Bill for an Act to provide for the publication of the certificate of the Auditor as to the authority of insurance Companies to transact business, and for the publication of a condensed statement of their condition in addition thereto.

By Swindlehurst: H. B. No. 198. A Bill for an Act entitled "An Act to create a Board of Railroad Commissioners for the State of Montana, providing for the appointment of the members thereof, and defining their powers and duties, and providing remedies for the enforceemnt of the provisions of this Act, and penalties for the violation thereof."

By Committee on Live Stock and Ranges: H. B. No. 199. A Bill for an Act to amend Sections 3000 and 3013 of the Political Code and the Acts amendatory thereof relating to the appointment of a State Veterinary Surgeon, his qualifications and salary.

By Live Stock Committee: H. B. No. 200. A Bill for an Act to amend Chapter 45 of the Laws of 1905, entitled "An Act to foster, develop, protect and promote the Sheep industry of the State of Montana, and to appoint a Board of Sheep Commissioners, and appoint inspectors and deputy inspectors, and to define their duties and powers, and the duties and powers of the State Veterinary Surgeon in connection therewith; and to repeal an Act entitled "An Act for the appointment of a Board of Sheep Commissioners, and to define their powers and duties, approved March 5, 1897, and Sections 3030 to 3046 inclusive, of the Political Code, covering the same subject, approved February 28th, 1905, by amending Sections 3, 12, 15, 16, 17, 19, 24 and 27 to read as hereinafter set forth, and by adding thereto a Section as No. 32 relating to Buck Herds.

By Cameron: H. B. No. 201. A Bill for an Act creating herding districts for livestock, and providing a penalty for permitting livestock to run at large therein."

By Whiteside: H. B. No. 202. A Bill for an Act entitled "An Act to provide for Farmer's Institutes and extension work in Agriculture", and to repeal an Act entitled "An Act providing for Farmer's Institutes and making an appropriation therefor; approved March 14, 1901", and to repeal an Act entitled "An Act to amend an Act providing for Farmer's Institutes and making an appropriation therefor; approved March 6, 1903".

By Kroger: H. B. No. 203. A Bill for an Act providing for the payment of lost certificates of deposit and other evidence of death or liability, where the persons to whom the same were issued have died intestate, and with out any known heirs or next of kin.

By Blewett: H. B. No. 204. A Bill for an Act entitled "An Act to provide for the appointment of Board of Examiners for applicants for certain positions in and about coal mines; prescribing their duties and general office, and providing for the salaries of such Board.

By Macaulay: H. B. No. 205. A Bill for an Act entitled "An Act to

create a Board of Fish Commissioners; providing for the locating, erecting and establishment of a State Fish Hatchery, and providing for the maintenance thereof to regulate the gathering and hatching of fish eggs, and the distribution of product of said Hatchery, and to appropriate money from the Game and Fish Fund, for all of said purposes."

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 1st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were taken from the File and read first and second times:

H. B. No. 190, and H. B. No. 191.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 1st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Notices of Bills were this day received:

By Miller of Park: A Bill for an Act entitled "An Act to amend an Act approved March 18, 1901, entitled "An Act creating the office of Inspector of Coal Mines, defining his duties, and providing for his salary, and providing penalties for the violation thereof," making the coal mine Inspector "Ex-officio" the sealer of weights and measures for coal mines, and providing his removal from office for cause."

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 1st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were this day received:

By Corbin: A Bill for an Act to add to Article 6, Chapter III, Title I, Part III of the Political Code, a Section to be numbered 428; providing for the cancellation, by the State Auditor at the expiration of a specified period of all warrants returned or uncalled for.

By Brewster: A Bill for an Act providing for the payment of certain expenses incurred by the Board of Stock Commissioners, and the Board of Sheep Commissioners with relation to Bounty fraud cases and bounty supplies from the Bounty Fund.

By Brewster: A Bill for an Act conferring additional powers and duties on the Board of Stock Commissioners, providing for the appointment of Special Deputy Veterinary Surgeons, etc.

By Shaw: A Bill for an Act to provide for the regulation of ballots, by providing detachable coupons, to prevent what is known as the "endless chain."

By Shaw: A Bill appropriating Twenty-five Hundred Dollars for the building of an addition to the Capitol Power House to be used as a Cafe.

By Tudor: A Bill for an Act entitled "An Act prohibiting the use of Automobiles on any public highway or road in the State of Montana and Prescribing penalties.

By Shaw: A Bill to prevent fusion between Political parties.

By Goff: A Bill entitled "A Bill for an Act to amend Sections 7, 11, 13, 15, 16, 18, 21, 35, 36 and 47 of an Act to revise the laws in reference to the State Militia of the State of Montana, and to repeal certain laws named in this Act. Approved March 9, 1897, and providing for the appointment of a Chief Clerk to the Adjutant General and a Military Store Keeper and fixing salaries.

By Duncan: A Bill for an Act prohibiting the killing or shooting of grouse, prairie chickens, pheasants and sage hens.

By Duncan: A Bill for an Act to protect stockholders and other persons dealing with corporations in this State and to provide punishment for the violation of any of the provisions of said Act.

By Morris: A Bill for an Act to re-apportion the State for representation purposes, and to fix the number of representatives for each County thereof.

By Campbell: A Bill for an Act entitled "An Act to appropriate the sum of Ten Thousand ($10,000.00) Dollars or so much thereof as may be necessary to be expended to secure proper ventilating facilities for the State Capitol, and particularly for the Senate Chamber and the House of Representatives.

By Seidler: A Bill asking for an appropriation out of the Fish and Game Fund, said moneys to be used in exterminating the German Carp in the Missouri River and its tributaries.

By Weed: A Bill for an Act to require an annual apportionment and accounting of surplus of Life Insurance Companies.

By Weed: A Bill for an Act relating to the provisions of Life Insurance Policies.

By Shaw: A Bill appropriating Five Thousand Dollars for the purpose of establishing an Independent electric light system and plant for the Capitol.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 1st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Mr. J. A. Johnston, has been appointed additional clerk to the Committee on Judiciary.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 1st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were this day received:

By Barbour: A Bill for an Act entitled "An Act to amend Section 1000 of the Civil Code of the State of Montana, as amended by an Act of the Ninth Legislative Assembly of Montana, approved March 2, 1905, relating to Power Lines."

By Kroger: A Bill for an Act providing for the payment of lost certificates of deposit and other evidence of debt or liability where the person to whom the same were issued, have died intestate, and without any known heirs or next of kin.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 31st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Notices of Bills were this day received:

By Miller of Lewis and Clark: A Bill for an Act making towns and cities liable for all damages to persons, teams, or vehicles, passing over grade crossings of railroads operating in the State of Montana, on generally traveled streets, where the town or City has not required the Railroad Company to keep a watchman at such crossings, to warn persons desiring to cross of danger.

By Whiteside: A Bill to authorize a Board of Managers of the State Agricultural College to hold Farmer's Institute meetings, and to repeal an Act entitled "An Act providing for Farmer's Institutes, and making appropriation therefor, approved March 14, 1901."

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, January 31st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and placed on the General File:

By O'Connor: H. B. No. 190. A Bill for an Act to amend Section 3960 of the Political Code of the State of Montana, relating to Poll Tax.

By O'Connor: H. B. No. 191. A Bill for an Act to amend Section 4747 of the Political Code of the State of Montana, relating to the number of wards in Cities and Towns.

Respectfully,

NATHAN GODFREY, Chief Clerk.

By unanimous consent the rules were suspended and Annin was allowed to introduce a Bill concerning dependent and neglected Children without giving previous notice.

The following Bills were read first and Second times:

S. B. No. 58, by McCone: An Act to provide security to the public against errors, omissions and defects in abstracts of title of real estate and for the use of abstracts in evidence and to provide a penalty for the violation thereof.

Referred to Committee on Judiciary.

S. B. No. 59, by Romney: A Bill for an Act entitled "An Act to provide for the care and maintenance of infirm pioneers of the State of Montana.

Referred to Committee on Finance and Claims.

By unanimous consent Rules were suspended and S. B. No. 60, by Annin, being,

A Bill for an Act concerning independent and neglected children, and concerning the parents, guardians or other persons responsible for the custody, care, maintenance and support of such children, and their punishment for the neglect of such children was read first and second times by title only.

By unanimous consent rules were suspended and Senate Bill No. 61 by Annin, being, A Bill for an Act entitled "An Act concerning delinquent children, or delinquent juvenile persons, defining same and providing for their apprehension, custody and disposition; the jurisdiction of courts and proceed-

ings therein, and concerning the parents, guardians, and other persons responsible for the custody, care, guidance, education, and maintenance, and control of such children, and providing for their punishment in cases of delinquency therein, was read a first and second time by title only.

S. B. Nos. 60 and 61, referred to Judiciary Committee.

H. B. No. 113, by Committee on Appropriations: A Bill for an Act entitled "An Act appropriating money for the payment of deficiency claims of the Bureau of Child and Animal Protection, for expenses incurred."

Referred to Committee on Finance and Claims.

H. B. No. 95, by Committee on Appropriations: A Bill for "An Act appropriating money for the payment of claims of certain persons for services rendered, and supplies furnished the State Board of Horticulture."

Referred to Committee on Finance and Claims.

H. B. No. 94: By Committee on Appropriations, a bill for an Act entitled "An Act appropriating money for the payment of deficiency claims for expense of the Attorney General.

Refered to Committee on Finance and Claims.

H. B. No. 91: By Commitee on appropriations, a bill for an Act entitled "An Act appropriating money for payment of deficiency claim of John J. Quinn, for expenses incurred."

Referred to Committee on Finance and Claims.

H. B. No. 92, by Committee on Appropriations: An Act entitled "An Act appropriating money for the payment of deficiency claims of certain persons for rewards.

Referred to Committee on Finance and Claims.

By unanimous consent rules were suspended and H. B. No. 93, by Committee on Appropriations, being

A bill for an Act entitled "An Act appropriating money for the payment of claims of certain persons for services rendered and supplies furnished in maintenance of the Capitol Building," was read a first and second time by title only and referred to Committee on Finance and Claims.

On request of Tooley, Dubois, the doorkeeper, was granted leave of absence on account of illness

Following Notices of Bills were received:

By Long. A bill creating the office of State Fire Warden, making the State Game and Fish Warden "ex officio" State Fire Warden, providing for the appointment of two deputy Fish and Game Wardens as Deputy Fire Wardens, and prescribing their duties.

By Miles. A bill for an Act relating to internal improvements in Cities and Towns, and authorizing the issuance of special improvement district bonds in payment therefor, and providing for the levy and collection of assessments to pay the bonds.

By Edwards. A bill for an Act entitled "An Act regulating and prescribing the manner of measuring hay in stack to determine tonnage."

By Everett. A Bill fixing a maximum rate on coal hauled by railroads in this State and fixing a penalty for violation thereof.

Referring back to the second order of business, Standing Committee reported as follows:

Senate Chamber, Helena, Montana, February 4, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bills Nos. 44, 21, 41 and 36 correctly printed.

ROMNEY, Acting Chairman.

Report adopted and bills referred to General File.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

THIRTIETH DAY

Helena, Montana, February 5th, 1907.

Senate convened at 10:30 A. M.

President in the Chair.

Roll called, quorum present.

Prayer by the Chaplain.

Journal read and approved.

A communication, together with resolutions passed at the Bi-ennial State Convention of the Mayors of Incorporated Cities and Towns of the State of Montana, held in Helena, January 28th and 29th, 1907, was received read and referred to Committee on Counties, Towns and Municipal Corporations.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 5th, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bill No. 46 correctly printed.

SANDERS, Chairman.

Report adopted. Bill referred to General File.

Senate Chamber, Helena, Montana, February 5th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill numbered 63, a bill for an Act entitled "An Act appropriating money for the payment of deficiency claims of the Public Printing for expenses incurred, beg leave to report as follows: That they have had the same under consideration and respectfully recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted, and bill referred to General File.

Senate Chamber, Helena, Montana, February 5th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill No. 112, Bill for an Act entitled, "An Act appropriating money for the payment of certain deficiency claims in connection with the State Treasurer's Office," beg leave to report as follows:

That they have had the same under consideration, and respectfully recommend that same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted, and bill referred to General File.

Senate Chamber, Helena, Montana, February 5th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill numbered 70, a Bill for an Act entitled "An Act appropriating money for the payment of deficiency claims of the State Encampment of 1905 of the National Guard of Montana, beg leave to report as follows:

That they have had the same under consideration and respectfully recommend that the same be concurred in.

McCONE, Chairman.

Report adopted, and bill referred to General File.

Senate Chamber, Helena, Montana, February 5th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill numbered 109, an Act entitled "An Act appropriating money for the deficiency claim of certain persons for supplies furnished account of Farmers' Institute, beg leave to report as follows:

That they have had the same under consideration and respectfully recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted, and bill referred to General File.

Senate Chamber, Helena, Montana, February 5th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill numbered 110, a bill for an Act entitled "An Act appropriating money for the payment of the Claim of Board of Charities and Reform, for expenses incurred," begs leave to report as follows:

That they have had the same under consideration and respectfully recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted, and bill referred to General File.

Senate Chamber, Helena, Montana, February 5th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill numbered 111, a bill for an Act entitled "An Act appropriating money for the payment of certain deficiency claims in connection with the Adjutant General's Office," beg leave to report as follows:

That they have had the same under consideration and respectfully recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted, and bill referred to General File.

Senate Chamber, Helena, Montana, February 5th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred House Bill numbered 17 beg leave to report as follows:

We have had the same under consideration and recommend that the same be indefinitely postponed.

Respectfully submitted,

DONLAN, Chairman.

Moved by Donlan that report of Committee be adopted.

Martien offered an amendment that the report be not adopted and bill be referred to General File.

On request of Everett title of bill was read.

An amendment to the amendment was offered by Miles that the report be not adopted, and the bill be re-referred to Committee on Counties, Towns and Municipal Corporations.

Long moved as a substitute for all pending motions that the report be not approved, and bill be re-referred to Committee on Corpartions other than Municipal.

Martien and Long demanded Roll call.

Substitute for all pending motions carried as follows:

Ayes.—Albright, Annin, Bielenberg, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Miles, Muffly McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Truscott, White. —24.

Noes.—None.

Absent and not voting.—Cowgill, Metcalf, Tooley—3.

House Bill No. 17 re-referred to Committee on Corporations other than Municipal.

Senate Chamber, Helena, Montana, February 5th, 1907.

Mr. President:

Your Committee on Public Lands, to whom was referred Senate Bill numbered 42 beg leave to report as follows:

That they had the same under consideration and recommend it do pass.

McLEAN, Chairman.

Report adopted and bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 5th, 1907.

Mr. President:

Your Committee on Public Lands to whom was referred Senate Bill numbered 31, beg leave to report as follows:

That they had the same under consideration and recommend that the bill be printed.

McLEAN, Chairman.

Report adopted, bill referred to Printing Committee.

Senate Chamber, February 4th, 1907.

Mr. President:

Your Committee on Rules and Joint Rules begs leave to report and recommend that the Joint Rules of the Senate and House of Representatives of the Eighth Legislative Assembly be adopted as the Joint Rules of the

House and Senate of this Legislative Assembly, and that Three Hundred copies be printed for use of the two houses.

WHITE, Chairman.

On motion of White report adopted, and Printing Committee instructed to have three hundred copies printed.

Senate Chamber, Helena, Montana, February 5th, 1907.

Mr. President:

Your Committee on Public Lands, to whom was referred Senate Bill numbered 27, begs leave to report as follows:

That they had the same under consideration, and recommend that it do pass.

McLEAN, Chairman.

Report adopted, bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 5th, 1907.

Mr. President:

Your Committee on Public Lands to whom was referred Senate Bill numbered 26, begs leave to report as follows:

That they had the same under consideration and recommend that the bill be printed.

McLEAN, Chairman.

Report adopted, and bill refered to Printing Committee.

Senate Chamber, Helena, Montana, February 5th, 1907.

Mr. President:

Your Committee on Printing begs leave to report Senate Bill number 8 correctly printed.

SANDERS, Chairman.

Report adopted, and bill referred to General File.

Senate Chamber, Helena, Montana, February 5th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred House Bill numbered 5 begs leave to report as follows:

We have had the same under consideration and recommend that the same be concurred in.

Respectfully submitted,

DONLAN, Chairman.

Report adopted, and bill referred to General File.

Senate Chamber, Helena, Montana, February 4th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bills numbered 28 and 30, begs leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted, and bills referred to Calendar for third reading.

Following communications from His Excellency, the Governor, received and read:

Executive Office, Helena, Montana, February 5th, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana.

I hereby nominate and appoint, with the consent of the Senate, Sydney

Fox, of Carbon County, Judge of the Thirteenth Judicial District, State of Montana.

J. K. TOOLE, Governor.

Executive Office, Helena, Montana, February 5th, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana.

I hereby nominate and appoint, by and with the consent of the Senate the following members of the State Board of Stock Commissioners.

County.	Name.
Beaverhead	Martin Barrett
Broadwater	J. E. O'Connor
Carbon	J. N. Tolman
Cascade	James T. Sanford
Chouteau	C. J. McNamara
Custer	John M. Holt
Dawson	W. F. Jordan
Deer Lodge	W. M. Montgomery
Fergus	Frank Stevens
Flathead	John Herman
Gallatin	H. H. Sappington
Granite	James McDonnel
Jefferson	Edward Cardwell
Lewis and Clark	John T. Murphy
Madison	Winthrop Raymond
Meagher	John H. Freeser
Missoula	Michael Flynn
Park	A. N. Shearman
Powell	John T. Bielenberg
Ravalli	T. J. Shannon
Rosebud	Joseph T. Brown
Sanders	J. A. McGowan
Silver Bow	Jeff Lavelle
Sweet Grass	W. P. Franklin
Teton	W. K. Flowerree
Valley	J. E. Milner
Yellowstone	David Fratt

J. K. TOOLE, Governor.

Executive Office, Helena, Montana, February 5, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana.

I hereby nominate and appoint, by and with the consent of the Senate, the following members of the State Board of Sheep Commissioners:

County.	Name.
Beaverhead	George W. French
Broadwater	Jeff Doggett
Carbon	D. G. O'Shea
Cascade	H. C. Ewing
Chouteau	George B. Bourne
Custer	Frank D. O'Neill
Dawson	William Lindsay
Deer Lodge	John Wenger

Fergus .....B. C. White
Flathead .....W. F. Mulaney
Gallatin .....John F. Work
Granite .....Lee C. Degenhart
Jefferson .....E. J. Stanley
Lewis and Clark.....William J. Bickett
Madison .....Henry W. Buford
Meagher .....J. E. Bower
Missoula .....D. R. Maclay
Park .....S. O'N. C. Brady
Powell .....William Williams
Ravalli .....J. L. Humble
Rosebud .....D. McGillivary
Silver Bow.....Herman Destal
Sweet Grass.....A. B. Coit
Teton .....W. K. Flowerree
Valley .....L. H. Mills
Yellowstone .....A. C. Logan

J. K. TOOLE, Governor.

On motion of Martien all of the above appointments were confirmed and approved.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, February 4th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Notices of Bills have this day been received:

By Weed: A Bill for an Act to amend Section 411 of the Civil Code of Montana relating to the making and filing of Articles of Incorporation of Domestic Corporations.

By Marshall: A Bill for an Act entitled "An Act to extend and define the boundaries of Missoula County and to alter the boundaries of Granite County to conform therewith.

By Griffin: A Bill for an Act to amend Section 2 of an Act approved March 1, 1905, entitled "An Act to repeal Section 4, 6, 11, 12, 21, and 25 of House Bill No. 123 entitled An Act to repeal Section 1110, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144 of the Penal Code of Montana, and to provide further protection to birds, fish, fur bearing animals and game, approved March 8, 1907, and to also repeal Sections 1, 2, 3 and 5 of the said Act as amended by House Bill No. 13, Session Laws of 1901, approved March 14, 1901, and to provide further protection to birds, fish, fur bearing animals and game."

By Miller of Park: A Bill for an Act providing that all graduates of the University of Montana who have completed a certain amount of work in the department of Psychology and Method, shall be entitled to teach in the Public Schools of the State without other or further examination.

By Gray: A Bill for an Act to provide for the sale of estrays.

By Weed: A Bill for an Act to provide certain requirements of life insurance companies organized in the State of Montana, and also relating to the

admission of life insurance companies organized in another State, and applying to transact business in this State.

By Goff: A Bill for an Act entitled "An Act to amend Section 1, of Chapter 27, of the Acts of the Legislative Assembly, being an Act to authorize Cities and Towns to create special improvement districts, and to levy special assessments upon the property of such districts, for the purpose of defraying the cost of construction, or acquiring a system of water works, and laying extensions to water mains. Approved February 21, 1905."

By Miller of Park: A Bill for an Act entitled "An Act to amend Section 132 and 134 of the Civil Code of the State of Montana, and to amend Article II of Chapter III of Title I of Division I of said Civil Code of the State of Montana, by adding thereto a section to be numbered Section 147, which said Section 147 defines incompatability of temper, as a cause of divorce."

By Miller of Park: A Bill for an Act to amend Section 397 and Sections 1503 of the Code of Civil Procedure of the State of Montana relating to appearances in Justice Courts.

By Duncan: A Bill for an Act entitled "An Act to amend Section 3866 of the Civil Code of the State of Montana, relating to the renewal of mortgages of personal property as amended by Chapter IV, Laws of 1903, approved March 4, 1903, and as amended by the Act of the Legislative Assembly of the State of Montana, Approved February 28, 1905, and to amend Section 3865 of the Civil Code of the State of Montana, relating to the period of time for which mortgages of personal property shall be valid.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 4th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills have been introduced and read first and second times:

By Committee on Appropriations, H. B. No. 206: A Bill for an Act appropriating money for the payment of deficiency claims in maintenance of the Capitol Building.

By Committee on Appropriations, H. B. No. 207: A Bill for an Act entitled "An Act appropriating money for the payment of deficiency claims account of the Supreme Court."

By Committee on Appropriations, H. B. No. 208: A Bill for an Act appropriating money for the payment of deficiency claims in connection with the Attorney General's Office."

By Committee on Appropriations, H. B. No. 209: A Bill for an Act entitled "An Act appropriating money for the payment of deficiency claims in connection with the Meat and Milk Inspector's Office during 1905 and 1906.

By Committee on Appropriations, H. B. No. 210: A Bill for an Act appropriating money for the payment of deficiency claims of the State Encampment of 1905 of the National Guard of Montana.

By Miller: H. B. No. 211: A Bill for an Act making Towns and Cities liable for all damages to persons, teams or vehicles, passing over Grade Crossings of Railroad Tracks on generally travelled streets when the Town or City Council has not required the Railroad Company to keep a watchman at such crossings to warn persons of danger.

By Weed, H. B. No. 212: A Bill for an Act to require an annual apportionment of surplus of Life Insurance Companies.

By Weed, H. B. No. 213: A Bill for an Act relating to the provisions of Life Insurance Policies.

By Shaw, H. B. No. 214: A Bill for an Act entitled "An Act appropriating the sum of Two Thousand Five Hundred Dollars or so much thereof as may be necessary, for the erection of an addition to the Power House in connection with the State Capitol Building for use as a Cafe.

By Morris, H. B. No. 215: A Bill for an Act entitled an Act to provide for apportionment of membership and representation of the several counties of Montana in the House of Representatives of Legislative Assemblies of Montana and to fix the number of members thereof."

By Goff, H. B. No. 216: A Bill for an Act to amend Sections 7, 11, 13, 15, 16, 18, 21, 35, 36, and 47 of an Act to revise the laws in reference to the State Militia of the State of Montana and to repeal certain laws named in this Act, Approved March 9, 1897, and providing for the appointment of a Chief Clerk to the Adjutant General and a Military Store Keeper and fixing salaries.

By Committee on Ways and Means, H. B. No. 217. A Bill for an Act entitled "An Act to provide for the support of the Government of the State of Montana for the years 1907 and 1908."

By Duncan, H. B. No. 218: A Bill for an Act entitled "An Act to prevent the shooting or killing of grouse, prairie chickens, fool hens, sage hens or pheasants and to provide punishment for the violation of any of the provisions of this act.

By Duncan, H. B. No. 219: A Bill for an Act to protect Stockholders and other persons dealing with corporations in this State, and to provide punishment for the violation of any of the provisions of this Act.

By Gray, H. B. No. 220: A Bill for an Act entitled "An Act to amend Section 1, of Chapter 37 of the Session Laws of 1905, being an Act entitled "An Act to define lawful fences, and to repeal Section 3250 of the Political Code, and an act approved March 16, 1901, entitled "An Act to amend Section 3250, Chapter 13, Title 7, Part 3, of the Political Code of the State of Montana, Approved February 27, 1905.

By Corby, H. B. No. 221. A Bill for an Act to add to Article VI, Chapter III, Title I, Part III, of the Political Code, a Section to be numbered 428, providing for the cancellation by the State Auditor at the expiration of a specified period of all warrants returned or uncalled for.

By Whiteside, H. B. No. 222: A Bill for an Act entitled "An Act concerning Delinquent Juvenile Persons, defining same and providing for their apprehension, custody and disposition; the jurisdiction of Courts and proceedings therein, and concerning the parents responsible for the custody, care, guidance, education and maintenance and control of such children, and providing for their punishment in cases of delinquency therein.

By Whiteside, H. B. No. 223: A Bill for an Act concerning dependent and neglected children, and concerning parents, guardians or other persons responsible for the custody, care, maintenance and support of such children, and their punishment for the neglect of such children.

By Tudor, H. B. No. 224: A Bill for an Act entitled "An Act prohibiting the use of automobiles on any public highway or road in the State of Montana, and prescribing penalties.

By Brewster, H. B. No. 225: A Bill for an Act providing for the payment of certain expenses incurred by the Board of Stock Commissioners, and the Board of Sheep Commissioners with relation to the Bounty Fraud cases, Bounty supplies from the Bounty Fund.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 4th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following resolution was introduced by Macaulay, of Silver Bow, and passed by the House:

Whereas, there has been a protracted shortage of coal in the State of Montana, due to causes not sufficiently explained; and

Whereas, there has been a raise in the price of coal to the consumer, of from twenty-five to fifty per cent above last years price; and

Whereas, the individual domestic consumer of coal has been able to secure only a very limited supply of coal at one time, while large quantities of coal have been steadily supplied to the larger industrial concerns in this State;

Therefore, be it Resolved, that the Speaker appoint a Committee of Representatives of this House, whose duty it shall be to thoroughly investigate the coal shortage, and the unprecedented raise in the price of coal, together with the causes, which the small consumer has been confined in his purchase to limited quantities of coal, while mines, smelters, railroads, and other large concerns have been fully supplied, and report to this house, the report to be made the basis of needful legislation, in case it be shown that the domestic consumer of coal has been made the victim of a coal combine or conspiracy designed to subject him to unjust discrimination and to compel him to pay extortionate prices for coal.

The following committee was appointed by the Speaker:

Allen, Macaulay and O'Connor.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 4th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills numbers 49, 67, 84, and 104, have been read a third time and passed by the House, and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 4th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following notices of Bills were this day received:

By Wilder: A Bill for an Act entitled "An Act to amend Section 3780 of the Political Code, relating to County Boards of Equalization.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 4th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bill No. 9, having been read a third time and concurred in, is herewith returned.

Respectfully,
NATHAN GODFREY, Chief Clerk.

Following Bills were read first and second times:

S. B. No. 62, by Edwards: A Bill for an Act entitled "An Act regulating and prescribing the manner of measuring hay in stacks to determine tonnage.

Referred to Committee on Judiciary.

After giving notice the President signed House Bills Nos. 71, 58, 72 and 7.

On request of White rules were suspended and Senate Bill No. 63, being A Bill for an Act relating to Banks and Banking, providing for the organization, management, control, regulation and supervision of same, providing penalties for violations of the provisions of this Act, repealing sections 570 to 585 inclusive, being all of Division I, Part IV, Title II, of the Civil Code of Montana; providing that all persons doing a banking business shall comply with the provisions of this Act; providing for the assessment and taxation of Banks, repealing Section 4061 of the Political Code of Montana, relating to licenses, was read a first and second time, by title only.

Referred to Judiciary Committee, and Printing Committee instructed to have same printed previous to consideration by the Judiciary Committee.

S. B. No. 64, by Martien: A Bill for an Act to provide for the submission to the qualified electors of the State of Montana, a proposition to amend Section 13 of Article XII, of the Constitution of the State of Montana, relating to the Public Funds in the hands of State Treasurer.

Referred to Committee on Finance and Claims.

S. B. No. 65, by Sanders: A Bill for an Act entitled "An Act to provide for apportionment of membership and representation of the several counties of Montana in the House of Representatives of Legislative Assemblies of Montana, and to fix the number of members thereof.

Referred to Committee on Apportionment and Representation.

S. B. No. 66 by Long: A Bill for an Act entitled "An Act to create the office of State Fire Warden providing for the appointment of deputies and relating to their compensation and duties.

Referred to Committee on Public Lands.

On request of Martien rules were suspended and S. B. No. 67, by Muffly, being a Bill for an Act entitled "An Act to establish a Railroad and Transportation Commission for the State of Montana, providing for the appointment and election of the members thereof, and defining its powers and duties, whereby discrimination and extortion in Railroad and Express charges may be prevented, and reasonable freight, passenger, and express tariffs may be established; to prescribe and authorize the making of rules and regulations to govern the commission, and the Railroads and Express companies, and afford Railroad and Express companies and other parties adequate remedies to prescribe penalties for the violation of this act and to provide means and rules for its enforcement, was read a first and second time by title only, and

Referred to Committee on Railroads and Transportations.

H. B. No. 49, by Hyndman: A Bill for an Act entitled "An Act appropriating money for the purchasing and erecting in the main hall of the Capitol a bronze tablet to the memory of Captain James Williams.

Referred to Committee on Finance and Claims.

H. B. No. 67, by Committee on Appropriations: A Bill for an Act entitled "An Act to appropriate money for the payment of the deficiency claim of Mitchell and Mussigbrod for the care of patients in the insane asylum for the year 1906.

Referred to Committee on Finance and Claims.

H. B. No. 84, by Marshall: A Bill for an Act entitled "An Act to amend Section 313 of the Political Code relating to distribution of Public Reports.

Referred to Judiciary Committee.

H. B. No. 104, by Wendel: A Bill for an Act entitled "An Act to amend Section 4870 of the Political Code of the State of Montana as amended by H. B. No. 213 entitled 'An Act to amend Sections 4867, 4868, 4869, 4870, 4871, 4872, 4873, 4874, 4875, 4876, and 4877 of the Political Code of the State of Montana relating to taxation in Municipal Corporations, Approved March 3, 1897.

Referred to Committee on Counties, Towns and Municipal Corporations.

By unanimous consent rules were suspended and S. B. No. 68, by Miles, by Request, being "A Bill for an Act relating to internal improvements in Cities and Towns and authorizing the issuance of special improvement district bonds in payment therefor and providing for the levy and collection of assessments to pay the bonds," was read a first and second time by title only, and

Referred to Committee on Counties, Towns and Municipal Corporations.

Following notices of introduction of Bills were received:

By Muffly: A Bill for an Act prohibiting marriages between white persons and negroes or persons of negro blood; between white persons and Indians, Chinese, and Japanese and making such marriages void and prescribing punishment for solemnizing such marriages.

By Martien: A Bill for an Act to regulate and control by law the rates of charges for transportation of passengers by railroads from one point to another in the State.

My McCone: A Bill for an Act entitled "An Act to increase the number of members composing the State Furnishing Board and prescribing rules and regulations and maximum rates to be followed by the said Board in reference to all State Printing, Binding, etc., and repealing Sections 702 to 714 inclusive, Article XIX of the Political Code of the State of Montana.

By Romney: A Bill for an Act to amend Section 717 of the Penal Code of the State of Montana as the same is amended by Chapter 39 of the Laws of 1905 relating to the sale of intoxicating beverages on the line of any railroad, grade, logging camp, saw-mill, sheep shearing camp, irrigation ditch, or canal in course of construction by adding to said Section a proviso defining the words "town".

By McLean: A Bill for an Act entitled "An Act relating to bounty on stock destroying animals and to prevent fraud in the payment of the same.

By McLean: A Bill for an Act entitled "An Act relating to the registration of voters and providing additional means for their registration."

Recess until 1:30 P. M.

Senate reconvened at 1:30 P. M.

President in the chair.

Roll called. Quorum present.

On motion of Donlan Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

Miles in the chair.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 5, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

H. B. No. 15 be concurred in.

That S. B. No. 21 be passed as amended.

That S. B. No. 36 be made a special order of business for tomorrow afternoon at 2:00 o'clock.

That S. B. No. 44 do pass.

That H. B. No. 5 be concurred in.

That H. B. No. 63 be concurred in.

That H. B. No. 70 be concurred in.

That H. B. No. 109 be concurred in.

That H. B. No. 110 be concurred in.

That H. B. No. 111 be concurred in.

That H. B. No. 112 be concurred in.

That S. B. No. 41 do pass.

MILES, Chairman.

Report adopted.

Senate Bills Nos. 21, 44 and 41 referred to Committee on Engrossed Bills.

House Bills Nos. 15, 5, 63, 70, 109, 110, 111 and 112 referred to Calendar for Third Reading.

On request of Donlan rules were suspended and the following Bills were considered read a third time at length, read by title only:

S. B. No. 13 was passed by the following vote:

Ayes—Albright, Annin, Cardwell, Donlan, Edwards, Everett, Fairbanks, Harper, Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—22.

Noes—None.

Absent and not voting—Bielenberg, Cowgill, Haviland, Metcalf, Glidden.—5.

Title agreed to.

S. B. No. 16 was passed by the following vote:

Ayes—Albright, Annin, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, White.—21.

Noes—None.

Absent and not voting—Bielenberg, Cowgill, Haviland, Metcalf, Tooley, Truscott.—6.

Title agreed to.

S. B. No. 24 was passed by the following vote:

Ayes—Albright, Annin, Cardwell, Donlan, Edwards, Everett, Fairbanks,

Harper, Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Truscott, White.—21.

Noes—None.

Absent and not voting—Bielenberg, Cowgill, Glidden, Haviland, Metcalf, Tooley.—6.

Title agreed to.

On motion of Miles S. B. No. 25 was withdrawn from the Calendar for third reading and re-referred to the General File.

S. B. No. 29 passed by the following vote:

Ayes—Albright, Annin, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting—Bielenberg, Cowgill, Haviland, Metcalf.—4.

Title agreed to.

S. B. No. 28 passed by the following vote:

Ayes—Annin, Cardwell, Donlan, Everett, Fairbanks, Glidden, Harper, Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—21.

Noes—None.

Absent and not voting—Albright, Bielenberg, Cowgill, Edwards, Haviland, Metcalf.—6.

Title agreed to.

S. B. No. 30 passed by the following vote:

Ayes—Annin, Cardwell, Donlan, Everett, Fairbanks, Glidden, Harper, Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Romney, Rae, Sanders, Tooley, Truscott, White.—21.

Noes—None.

Absent and not voting—Albright, Bielenberg, Cowgill, Edwards, Haviland, Metcalf.—6.

Title agreed to.

H. B. No. 15 concurred in by the following vote:

Ayes—Albright, Annin, Cardwell, Everett, Fairbanks, Glidden, Harper, Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—20.

Noes—None.

Absent and not voting—Bielenberg, Cowgill, Donlan, Edwards, Haviland, Metcalf, Rae.—7.

Title agreed to.

H. B. No. 5 concurred in by the following vote:

Ayes—Albright, Annin, Cardwell, Edwards, Everett, Fairbanks, Harper, Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—20.

Noes—None.

Absent and not voting—Bielenberg, Cowgill, Donlan, Glidden, Haviland, Metcalf, Rae.—7.

Title agreed to.

H. B. No. 63 concurred in by the following vote:

Ayes—Albright, Cardwell, Edwards, Everett, Fairbanks, Glidden, Harper,

Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—21.

Noes—None.

Absent and not voting—Annin, Bielenberg, Cowgill, Donlan, Haviland, Metcalf.—6

Title agreed to.

H. B. No. 70 concured in by the following vote:

Ayes—Albright, Cardwell, Everett, Fairbanks, Harper, Long, Martien, Miles, Muffly, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—18.

Noes—None.

Absent and not voting—Annin, Bielenberg, Cowgill, Donlan, Edwards, Glidden, Haviland, Metcalf, McCone.—9.

Title agreed to.

H. B. No. 109 concured in by the following vote:

Ayes—Albright, Cardwell, Everett, Fairbanks, Harper, Long, Miles, Muffly, McCarthy, McCone, McDonell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—18.

Noes—None.

Absent and not voting—Annin, Bielenberg, Cowgill, Donlan, Edwards, Glidden, Haviland, Martien, Metcalf.—9.

Title agreed to.

H. B. No. 110 concurred in by the following vote:

Ayes—Albright, Annin, Cardwell, Everett, Fairbanks, Harper, Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—20.

Noes—None.

Absent and not voting—Bielenberg, Cowgill, Donlan, Edwards, Glidden, Haviland, Metcalf.—7.

Title agreed to.

H. B. No. 111 concurred in by the following vote:

Ayes—Albright, Annin, Cardwell, Everett, Fairbanks, Glidden, Harper, Long, Martien, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—20.

Noes—None.

Absent and not voting—Bielenberg, Cowgill, Donlan, Edwards, Haviland, Metcalf, McDonnell.—7.

Title agreed to.

H. B. No. 112 concurred in by the following vote:

Ayes—Albright, Annin, Cardwell, Everett, Fairbanks, Harper, Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—20.

Noes—None.

Absent and not voting—Bielenberg, Cowgill, Donlan, Edwards, Glidden, Haviland, Metcalf.—7.

Title agreed to.

Referring back to the ninth order of business the following notice of bill was given:

By Martien: A Bill for an Act entitled "An Act to compel corporations, associations or persons operating railways or railroads in the State to furnish

cars and power to move shipments of property in carload lots, to provide for the recovery of penalties and damages for failure so to do, and to prevent discriminations against shippers in furnishing cars and power to move their property."

Adjourned till 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

THIRTY-FIRST DAY

Helena, Montana, February 6th, 1907.

Senate convened at 10:30 A. M.

President pro tem in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 6th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bills numbered 41 and 44, beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills referred to Calendar for third reading.

Senate Chamber, Helena, Montana, February 6th, 1907.

Mr. President:

Your Committee, to whom was referred Senate Bill No. 55, beg leave to report as follows:

That they have had the same under consideration and recommend that it do pass.

ROMNEY, Chairman Committee on Horticulture.

Report adopted, and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 6th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 91, a Bill for an Act entitled "An Act appropriating money for the payment of deficiency claim of John J. Quinn for expenses incurred", recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 6th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 92, a Bill for an Act entitled "An Act appropriating money for the

payment of deficiency claims of certain persons for rewards, recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted, and Bill referred General File.

Senate Chamber, Helena, Montana, February 6th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 93, A Bill for an Act entitled "An Act appropriating money for the payment of the claim of certain persons for services rendered and supplies furnished in maintenance of the Capitol Building", recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted, and Bill referred General File.

Senate Chamber, Helena, Montana, February 6th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 94, a Bill for an Act entitled "An Act appropriating money for the payment deficiency claims for expenses of Attorney General", recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted, and Bill referred General File.

Senate Chamber, Helena, Montana, February 6th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 113, a Bill for an Act entitled "An act appropriating money for the payment of deficiency claims of the Bureau of Child and Animal Protection for expense incurred, recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted, and Bill referred General File.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, February 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Judiciary Committee: H. B. No. 232. A Bill for an Act to amend Section 1080 of the Code of Civil Procedure of Montana, and to repeal an act approved February 15th, 1901, relating to the method of procedure in the trial of civil actions and review by the Supreme Court of errors in Instruction."

By Judiciary Committee: H. B. No. 233: A Bill for an Act to amend Section 2070 of the Penal Code of Montana, and to repeal an Act approved February 15, relating to method of procedure in the trial of Criminal Actions.

By Judiciary Committee: H. B. No. 234. A Bill for an Act relating to Bills of exceptions and Statements of the Case, providing that the exception of the prevailing party shall be incorporated therein, and providing for review by the Supreme Court on appeal of such exceptions, and the orders and rulings relating thereto.

By Judiciary Committee: H. B. No. 235. A Bill for an Act to amend Section 1172 of the Code of Civil Procedure of Montana; to amend Section 1173 of the Code of Civil Procedure of Montana, as amended by an Act of the Ninth Legislative Assembly, entitled "An Act to amend Sections 1174 and 1176 of the Code of Civil Procedure of Montana, relating to practice on motions for a new trial.

By Judiciary Committee: H. B. No. 236. A Bill for an Act to amend Section 637 of the Code of Civil Procedure of the State of Montana relating to Publication of Summons.

By Judiciary Committee: H. B. No. 237. A Bill for an Act to amend Section 1736, 1738 and 1739 of the Code of Civil Procedure of the State of Montana relating to appeals to the Supreme Court.

By Griffin: H. B. No. 238. A Bill for an Act entitled, an Act to amend Section 2 of an Act approved March 1, 1905, entitled an Act to repeal Sections 4, 6, 11, 12, 21, and 25 of House Bill No. 123 entitled "An Act to repeal Sections 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144 of the Penal Code of the State of Montana, and to provide further protection to birds, fish, fur bearing animals and game, approved March 9th, 1907, and to, also, repeal Sections 1, 2, 3, and 5, of the said Act as amended by House Bill No. 13 Session Laws of 1901, approved March 14, 1901, and to provide further protection to birds, fish, fur-bearing animals and game."

By Campbell: H. B. No. 239. A Bill for an Act entitled an Act to appropriate the sum of Ten Thousand Dollars, or as much thereof as may be necessary thereof to be expended in securing proper ventilating facilities for the State Capitol, and particularly for the Senate Chamber, and the House of Representatives."

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills have this day, been introduced and read first and second times:

By Weed: H. B. No. 226. A Bill for an Act to provide certain requirements of Life Insurance Companies organized in the State of Montana, and also relating to the admission of Life Insurance Companies organized in other states and applying to transact business in this State."

By Weed: H. B. No. 227. A Bill for an Act to amend Section 411 of the Civil Code of Montana, relating to the making and filing of Articles of Incorporation of Domestic Corporations.

By Miller of Park: H. B. No. 228. A Bill for an Act entitled "An Act to amend Section 132 and 134 of the Civil Code of the State of Montana, and to amend Article 2, of Chapter 2 of Title I of Division I of said Civil Code, by adding thereto a Section to be numbered 147, which section 147 defines Incompatibility of Temper as a cause for divorce.

By Miller of Park: H. B. No. 229. A Bill for an Act to amend Section 397 and Section 1503 of the Code of Civil Procedure of the State of Montana, relating to appearances in Justices' Courts.

By Duncan: H. B. No. 230. A Bill for an Act entitled "An Act to

amend Section 3866 of the Civil Code of the State of Montana, relating to the renewal of mortgages of personal property, as amended by Chapter IV, Laws 1103, approved March 4, 1903, and as amended by the Act of the Legislative Assembly of the State of Montana, approved February 28, 1905; and to amend Section 3865 of the Civil Code of the State of Montana, relating to the period of time for which mortgages of personal property shall be valid.

By McManus: H. B. No. 231. A Bill for an Act appropriating money for the Montana State School of Mines, located at Butte, Montana, for the erection and equipment of a boiler plant and of a metallurgical plant for said school.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were this day received:

By Hess: A Bill for an Act to repeal Section 4049 of the Political Code and to insert in lieu thereof, a Section to be numbered 4049 of the Political Code providing for a lien on property used in any trade, occupation or business, for which a license is required, and the seizure and sale of such property upon default in payment of such license.

By Allen: A Bill for an Act entitled "An Act to submit to the qualified electors of the State of Montana, at the next General Election an amendment to Section IX, Article XII of the Constitution of the State of Montana, providing for an increase in the rate of taxation on real and personal property for state purposes.

By Weed: A Bill for an Act to provide for the admission of Mutual Hail, Cyclone, and Tornado Insurance Companies or associations organized under the laws of another State.

By McManus: A Bill for an Act appropriating money for the Montana State School of Mines.

By Gray: A Bill for an Act providing for the establishment of a Fish Hatchery at Great Falls, and making an appropriation therefor.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were this day received:

By Wendel: A Bill for an Act to amend Bill No. 203 entitled "An Act to amend Section 4800 of the Political Code relative to Legislative powers of Cities, and to enable Cities and Towns to acquire by purchase, construction or condemnation proceedings, water plants, water supplies, franchises, public buildings and sewers." Approved 8th day March, 1897, by eliminating therefrom that portion of paragraph 64, therefore declared unconstitutional by the Supreme Court of Montana.

By Wilder: A Bill for an Act entitled "An Act to impose a license tax on Companies operating Sleeping or Parlor Cars.

By Seidler: A Bill for an Act entitled "An Act providing for the establishment of wash houses at coal mines.

By Miller of Park by request: A Bill for an act providing for the maintenance and care of indigent orphan children and foundlings, and making appropriations for such purposes.

By McManus: A Bill for an Act to create an immigration bureau.

Respectfully,

NATHAN GODFREY, Chief Clerk.

The following Bills were read first and second times:

S. B. No. 69: By McLean. A Bill for an Act entitled "An Act relating to bounty on stock destroying animals, and to prevent fraud in the payment of same."

Referred to Committee on Stockgrowing and Grazing.

S. B. No. 70: By McLean. A Bill for an Act entitled "An Act relating to the registration of voters, and providing additional means for their registration."

Referred to Committee on Privileges and Elections.

S. B. No. 71: By Muffly, by Request. A Bill for An Act prohibiting marriage between white persons and negroes, or persons of negro blood, and between white persons and Indians, Chinese and Japanese, and making such marriage void, and prescribing punishment for solemnizing such marriages.

Referred to Committee on Public Morals.

S. B. No. 72: By Martien. A Bill for an Act entitled "An Act to fix the maximum rate per mile to be charged by any person, association of persons, or corporation having control of or operating any railroad for carrying passengers between points within the State of Montana, and prescribing penalties for any violation of the provisions of this Act.

Referred to Committee on Railroads and Transportation.

S. B. No. 73: By Martien. A Bill for an Act entitled "An Act to compel corporations, associations, or persons operating railways or railroads in the State to furnish cars and power to move shipments of property in car load lots, to provide for the recovery of penalties and damages for failure so to do, and to prevent discriminations against shippers in furnishing cars and power to move their property.

Referred to Committee on Railroads and Transportation.

By unanimous consent rules were suspended and McCarthy was allowed to introduce a Bill relating to divorces without giving previous notice.

S. B. No. 74: By Donlan. A Bill for an Act to amend Section 717 of the Penal Code of the State of Montana as the same is amended by Chapter 39, Laws of 1905, relating to the sale of intoxicating beverages on the line of any railroad grade, logging camp, saw-mill, sheep shearing camp, irrigation ditch or canal, in course of construction by adding to said section a proviso defining the word "Town."

Referred to Committee on Counties, Towns and Municipal Corporations.

On motion of Donlan rules were suspended and

S. B. No. 75: By McCone, being a Bill for an Act entitled "An Act to increase the number of members composing the State Furnishing Board, and prescribing rules and regulations and maximum rates to be followed by said board in reference to all state printing, binding, etc., and repealing Sections 702 to 714 inclusive, Article XIX of the Political Code of the State of Montana, was read a first and second time, by title only.

Referred to Judiciary Committee.

S. B. No. 76: By McCarthy. A Bill for an Act entitled "An Act regarding divorce cases and providing that such cases shall not be brought on for final trial or hearing until after the lapse of thirty clear days after the filing of the complaint, and that no judgment or decree shall be made or entered until after the dapse of thirty-five clear days after filing of the complaint.

Referred to Committee on Judiciary.

Moved by Donlan that the Committee on Enrolled Bills be authorized to employ a clerk.

Motion carried.

Referring back to second order of business Committee on Engrossed Bills reported as follows:

Senate Chamber, Helena, Montana, February 6th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 21, beg leave to report as follows:

That the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills referred to General File.

By an error the amendment to Senate Bill No. 21 was omitted in the report of the Committee of the Whole of February 5th. The amendment is as follows:

Amend Section 1 of Senate Bill No. 21 by striking out in line 2 of the Bill as printed the words "And who", also by striking out line 12, 13 and the words "coal mine Inspector's Office, as those offices may require."

Moved by Martien that the order of the Senate heretofore named making Senate Bill No. 36 a Special Order for 2 P. M. today vacated, and that said Bill be re-referred to General File.

Motion carried.

Committee on Public Morals reported as follows:

Senate Chamber, Helena, Montana, January 23rd, 1907.

Mr. President:

Your Committee having had under consideration concurrent Resolution adopted by the Legislature of the State of New York, calling for a Convention to propose an amendment to the Constitution of the United States, prohibiting polygamy, and polygamous cohabitation respectfully report the same back for favorable consideration.

CARDWELL, Chairman.

Following Notices of Bills were received:

By Haviland, by Request: A Bill for an Act entitled "An Act to amend Section 397 and 1503 of the Code of Civil Procedure relating to appearances in all Courts of the State.

By Bielenberg: A Bill for an Act to provide for the tallying of cattle shipped from the State, and to facilitate the inspection of same at the market points.

Moved by McCarthy that the Senate reconsider the appointments made by the Governor February 5th.

Motion carried.

Moved by Edwards that the Senate confirm the appointment of Sidney Fox as Judge of the Thirteenth Judicial District.

Motion carried.

Moved by Edwards that all of the appointments made by the Governor for Stock Commissioners and Sheep Commissioners, with the exception of David McGillivary, be confirmed.

Motion carried.

On motion of Donlan Senate resolved itself into committee of the Whole to consider Bills on the General File with

Tooley in the chair.

Committee arose.

Senate resumed.

President Pro-tem in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 6th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

Senate Bill No. 36 be indefinitely postponed.

That S. B. No. 8 be amended by striking out in line 7 after the word "actually" the word "used", and insert in lieu thereof the word "owned" so that same will read: "over and above what is actually owned", and that as amended the same do pass.

That S. B. No. 25, be amended in Section 1, line 25 by striking out the word "thereafter" and inserting the following "after two annual reports have been filed", and that as amended the Bill do pass.

That S. B. No. 46, be amended in Section 1, by striking out in line 14, the word "may" and that as amended the Bill do pass.

That H. B. No. 91 be concurred in.

That H. B. No. 92 be concurred in.

That H. B. No. 93 be concurred in.

That H. B. No. 94 be concurred in.

That H. B. No. 113 be concurred in.

TOOLEY, Chairman.

Martien moved that the report of the committee be adopted with the exception of its report on S. B. No. 36, and as to that, that the report be not adopted, and S. B. No. 36 be passed.

Everett moved, as an amendment to the motion that the report of the Committee be adopted.

Long moved as an amendment to the amendment that the report of the Committee be adopted with the exception of S. B. No. 36.

Everett moved as a substitute to all pending motions that the report of the Committee be adopted and Senate Bill No. 36 be indefinitely postponed.

Martien demanded a roll call.

The substitute for all pending motions carried as follows:

Ayes—Albright, Annin, Bielenberg, Cardwell, Everett, Fairbanks, Harper, Haviland, Metcalf, Miles, McCone, McDonnell, McLean, Sanders.—14.

Noes—Donlan, Edwards, Glidden, Long, Martien, Muffly, McCarthy, Rae, Romney, Tooley, Truscott, White.—12.

Absent and not voting—Cowgill.—1.

Moved by Miles to reconsider the vote by which report of committee on Senate Bill 36 was adopted.

Motion lost.

Upon request of Donlan, rules were suspended and the following Bills were considered read a third time at length, read by title only.

S. B. No. 41 passed by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting—Cowgill, Donlan, Glidden.—3.

Title agreed to.

S. B. No. 44 passed by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting—Cowgill, Donlan, Glidden.—3.

Title agreed to.

S. B. No. 21 passed by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Edwards, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting—Cowgill, Donlan, Everett.—3.

Title agreed to.

H. B. No. 91 concurred in by the following vote:

Ayes—Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting—Albright, Cowgill, Donlan.—3.

Title agreed to.

H. B. No. 92 concurred in by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting—Cowgill, Donlan.—2.

Title agreed to.

H. B. No. 93 concurred in by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting—Cowgill, Donlan, Haviland.—3.

Title agreed to.

H. B. No. 94 concurred in by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, Rae, Romney, Sanders, Tooley, Truscott, White.—22.

Noes—None.

Absent and not voting—Cowgill, Donlan, Glidden, Haviland, McLean.—5.

Title agreed to.

H. B. No. 113 concurred in by the following vote:

Ayes—Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting—Cowgill, Donlan, Haviland, Rae.—4.

Title agreed to.

Referring back to the second order of business Printing Committee reported as follows:

Senate Chamber, Helena, Montana, February 6th, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bills Nos. 52 and 35 correctly printed.

SANDERS, Chairman.

Report adopted and Bills referred to General File.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

THIRTY-SECOND DAY

Helena, Montana, February 7th, 1907.

Senate convened at 10:30 A. M.

President pro-tem in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Haviland, Truscott and McCarthy reported for roll call.

Donlan excused indefinitely on account of illness in his family.

A resolution from the City Council of the City of Helena, petitioning the Senate and House of Representatives to pass House Bills Nos. 17, 39, 104, and 160, was received, read, and referred to Committee on Counties, Towns and Municipal Corporations.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 6th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred Senate Bill numbered 64, beg leave to report as follows:

That they have had the same under consideration, and recommend that the same do pass. Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 6th, 1907.

Mr. President:

Your Committee on Counties and Towns, to whom was referred House Bill numbered 104, beg leave to report as follows:

That they have had the same under consideration and recommend that the same be concurred in.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 6th, 1907.

Mr. President:

Your Committee on Counties and Towns, to whom was referred Senate Bill numbered 74, beg leave to report as follows:

That they have had the same under consideration and offer the following amendments: In Section 17 and 717 after the word "saw mill" insert the word "mine" and strike out the word "fifty" and insert the word "thirty", and recommend that as amended it do pass.

Respectfully submitted,

DONLAN, Chairman.

On motion of Albright report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 7th, 1907.

Mr. President:

Your Committee on Federal Relations, to whom was referred Senate Joint Memorial No. 1, memoralizing the Congress of the United States to provide for the allotment of Indian Lands and to open the Blackfoot Reservation to settlement, respectfully report the same back with the recommendation that the same do pass.

MUFFLY, Chairman.

Report adopted and Bill referred to Printing Committee.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, February 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Notices of Bills were this day received:

By Barbour, by Request: A Bill for an Act entitled "An Act to amend Section 1, subdivision 2 of Subdivisions 4 and 6 of Section 15 of an Act entitled "An Act to create the office of Meat and Milk Inspector for the State of Montana, and prescribing their powers and duties and compensation therefor, and repealing all Acts and parts of Acts in conflict herewith.

By Duncan: A Bill for an Act to amend Section 2931 of the Code of Civil Procedure of Montana, and to further enlarge the powers of the Clerk of the District Court.

By Gray: A Bill for an Act providing for the division of the various Counties into Commissioner's Districts.

By Gray: A Bill for an Act to amend Sections 3480 and 3491 of the Political Code, relating to the sale and leasing of state lands.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Miller of Lewis and Clark: H. B. No. 240. A Bill for an Act entitled "An Act providing for the maintenance and care of indigent orphan children and foundlings, and making an appropriation for such a purpose.

By Committee on Judiciary: H. B. No. 241. A Bill for an Act authorizing the appointment of a Third Assistant Attorney General, and authorizing the employment of an additional Stenographer for the Attorney General's Office.

By Scallon: H. B. No. 242. A Bill for an Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 6 of Article XVI of the Constitution of the State of Montana, relating to the terms of office of certain officers.

Wendel: H. B. No. 243. A Bill for an Act to amend House Bill No. 203, entitled "An Act to amend Section 4890, of the Political Code relating to the Legislative powers of Cities, and to enable towns and Cities to acquire, by purchase, condemnation proceedings, water plants, water supplies, franchises, public buildings and sewers." Approved the 8th day of March, 1897, by eliminating therefrom that portion of paragraph 64 thereof declared unconstitutional by the Supreme Court of the State of Montana.

By Whiteside: H. B. No. 244. A Bill for an Act entitled "An Act to prohibit the giving of free tickets, free passes or free transportation by common carriers in this State to certain public officials and to prohibit the giving or granting of franks or free privileges or special privileges by common carriers, express companies, telegraph companies, and telephone companies to certain public officials and fixing the penalties for the violation thereof.

By Whiteside: H. B. No. 245. A Bill for an Act entitled "An Act to provide for party Nominations by direct vote."

By Hess: H. B. No. 246. A Bill for an Act to repeal Section 4049 of the Political Code and to enact in lieu thereof a Section to be numbered 4049 of the Political Code, providing for a lien upon property used in any trade, occupation or business, for which a license is required and for the seizure and sale of such property upon default in payment of such license.

By Weed: H. B. No. 247. A Bill for an Act to provide for the admission of Mutual Hail, Cyclone and Tornado Insurance Companies or associations organized under the laws of another State.

By McManus: H. B. No. 248. A Bill for an Act entitled "An Act entitled "An Act to create an Immigration Bureau for the State of Montana, to provide for the management and control of same, to appropriate money for the maintenance thereof; to permit County Commissioners to participate in Immigration work, and appropriate County Funds therefor.

By Weed: H. B. No. 249. A Bill for an Act to authorize and empower foreign Corporations to exercise the right of Eminent Domain in Montana.

By Miller of Park: H. B. No. 250. A Bill for an Act entitled "An Act to amend an Act approved March 18, 1901, entitled and Act creating the office of Inspector of Coal Mines and defining his duties and providing for his salary, and providing penalties for the violation thereof; creating the office of Coal Mine Inspector and making the Coal Mine Inspector "Ex officio" the Sealer of Weights and measures for coal mines, and providing for his removal

from office for cause, also providing for the payment of fees for Inspecting Coal Mines and inspection of coal mine scales, also defining the duties of said coal mine inspector, providing for his salary and providing penalties for the vioaltion thereof.

By Allen: H. B. No. 251. A Bill for an Act entitled "An Act to provide that the Board of County Commissioners of each County in the State shall pass a resolution to be known as "The Annual Appropriation Resolution," providing for a tax levy, to provide for each County Officer to file with said Board, an estimate of their annual expenses for the fiscal year, and to provide a County Fiscal Year."

By Miller of Park: H. B. No. 252. A Bill for an Act providing that all graduates of the University of Montana, who have completed a certain amount of work in the department of Psychology and method shall be entitled to teach in the public schools of the State without other or further examination.

By Allen: House Joint Memorial No. 2. Relating to the Exchange by the State with the Bancroft, Whitney Co., of certain volumes of Montana reports.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were this day received:

By Hess: A Bill for an Act entitled "An Act to regulate plumbing in the Cities of the State of Montana, providing for the licensing of persons to carry on the business and work of plumbing, creating a Board of Plumbing examiners, fixing the compensation of Plumbing Examiners, and providing penalties for the violation of same.

By Boorman: A Bill providing for the appointment of commissioners to compile and arrange the Codes and Statutes of Montana and to prescribe their duties and power, and to provide for their compensation.

By Seidler: A Bill for an Act to provide for the appointment of a clerk for the office of the State Mine Inspector and State Coal Mine Inspector.

By Miller of Lewis and Clark: A Bill for an Act to amend Section 1260 and repeal Section 1261 of Chapter V, and to amend Section 1411 of Chapter X of the Political Code of the State of Montana, relative to Judges of election.

By Miller of Lewis and Clark: A Bill for an Act to amend Section 353 of the Penal Code of the State of Montana.

By Kirwan: A Bill for an Act entitled "An Act to amend Section 4786 of the Political Code relating to the duties of City Attorneys.

By Weed: A Bill for an Act to amend Section 1 of an Act entitled "An Act to provide the conditions upon which foreign corporations may do business in this State and to repeal Sections 1030 and 1038 inclusive of the Civil Code of Montana, approved March 9, 1901, and to add sub-division 7 to said Section 1, providing for the filing of alterations and amendments to the Charter or Articles of Incorporation of foreign Corporations, and for the filing of certificates of the increase of capital stock or continuance of corporate existence, and for the payment of fees therefor.

By Bennett: A Bill for an Act defining the crime of burglary with explosives and fixing punishment therefor.

By Miller of Park: A Bill for an Act entitled "An Act repealing Article XV, Chapter III, Part III, Title I (Sections 580 to 590 inclusive) of the Political Code of the State of Montana; providing for the qualifications, appointment, salary and expense of the State Inspector of Mines, and for the appointment, salary and expense of deputy mine inspector, providing for the inspection fees for the inspector of mines, and for the payment and collection of same, and providing the duties of the State Inspector of Mines.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Mrs. M. B. Reid has been appointed clerk to the Enrolling Committee.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bill No. 4 has been concurred in by the House and is herewith returned.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 134 having been read a third time and passed by the House is herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body, that House Bills Nos. 12, 16, 73, 79, 82, 89, 98, 102, 107, 128, 127, 130, 133, 134, 154, 172 and 173, have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

Following bills were read a first and second time:

S. B. No. 77: By Haviland. A Bill for an Act entitled, "An Act to amend Section 397 and 1503 of the Code of Civil Procedure, relating to appearances in all Courts of the State.

Referred to Committee on Judiciary.

S. B. No. 78: By Committee on Stockgrowing and Grazing. An Act to provide for the tallying of cattle shipped from the State, and to facilitate the inspection of same at the market points.

Referred to Committee on Stockgrowing and Grazing.

By unanimous consent rules were suspended and S. B. No. 79, by Everett, being a Bill for an Act entitled "An Act to fix the maximum rate to be charged by Railroad Companies for the transportation of coal and fixing penalties for its violation," was read a first and second time by title only, and

Referred to Committee on Railroads and Transportation.

H. B. No. 12: By Miller of Park. By Request. A Bill for an Act entitled "An Act to repeal 'An Act entitled an Act to provide for Assistants for the office of Attorney General and fix the salaries thereof," Approved March 9, 1901, and to provide for the appointment of two Assistant Attorneys General, and a stenographer for the Attorney General's Office, and to fix the salaries thereof."

Referred to Committee on Judiciary.

H. B. No. 16: By Shaw. An Act entitled "An Act to amend Section 448 of the Political Code of the State of Montana relating to the publication of the State Treasurer's report.

Referred to Committee on Judiciary.

H. B. No. 73: By Marshall. A Bill for an Act entitled, "An Act to provide for the filing of transcripts of judgments from the Circuit and District Court of the United States Ninth Circuit District of Montana, with the District Court Clerk of any County in this State, and when so filed such judgment to become a lien upon all real property of the Judgment Debtor not exempt from execution in such County."

Referred to Committee on Judiciary.

H. B. No. 79: By Towers. A Bill for an Act entitled "An Act to amend Sections 1990 and 3280 of the Political Code relating to Arbor Day."

Referred to Committee on Horticulture.

By unanimous consent rules were suspended and H. B. No. 82, by Morris, being "A Bill for an Act entitled 'An Act to amend Section 2505 and 2506 of the Civil Code of the State of Montana, relating to Innkeepers," read first and second times by title only, and referred to

Committee on Public Buildings.

H. B. No. 89: By Miller of Park. A Bill for an Act entitled "An Act to amend Chapter VI, Title XIII, of the Penal Code of the State of Montana, relating to extortion, by adding thereto a Section to be designated as Section 924 so as to prevent the denial of indebtedness for labor, or wilful refusal to pay such indebtedness with intent to secure a discount from the labor."

Referred to Committee on Capital and Labor.

By unanimous consent rules were suspended and H. B. No. 98, by Hyndman, being "A Bill for an Act entitled, An Act to regulate the sale and redemption of transportation tickets of common carriers, providing penalties for the violation thereof, and repealing Section 982 of Chapter IV, Title VIII, Part IV of Division I of the Civil Code of Montana;" was read a first and second time by title only, and

Referred to Committee on Railroads and Transportation.

H. B. No. 102: By Committee on Sanitary Affairs. A Bill for an Act appropriating money for the payment of expenses of Doctor H. J. Ricketts when investigating the cause and cure of spotted fever.

Referred to Committee on Finance and Claims.

H. B. No. 107: By Walker. An Act entitled "An Act providing for filing amended certificates of Incorporation and other certificates relating to corporations."

Referred to Committee on Judiciary.

By unanimous consent rules were suspended and H. B. No. 126, by Committee on Appropriations, being "A Bill for an Act entitled "An Act appropri-

ating money for the payment of certain deficiency claims account of State Fish and Game Warden," read first and second times by title only, and

Referred to Committee on Finance and Claims.

By unanimous consent rules were suspended and the following bills were read a first and second time by title only:

H. B. No. 127: By C. B. Miller. A Bill for an Act entitled "An Act making appropriations for the State Institutions of Montana for the three months ending February 28, 1907.

Referred to Committee on Finance and Claims.

H. B. No. 130: By C. B. Miller. A Bill for an Act entitled "An Act making appropriations for the Executive and Judiciary Departments of the State Government for the three months ending February 28, 1907.

Referred to Committee on Finance and Claims.

H. B. No. 132: By Committee on Appropriations. A Bill for an Act entitled "An Act providing for the payment of deficiency claims of certain State Offices."

Referred to Committee on Finance and Claims.

Following bills were read a first and second time:

H. B. No. 134: By Shaw. A Bill for an Act entitled "An Act to allow traveling expenses of County Superintendents of Schools."

Referred to Committee on Education.

By unanimous consent rules were suspended and the following bills were read a first and second time by title only:

H. B. No. 144: By Committee on Appropriations. A Bill for an Act entitled, "An Act appropriating money for the payment of deficiency claims of certain persons for services rendered and material furnished the State Veterinarian."

Referred to Committee on Finance and Claims.

H. B. No. 172: By Committee on Appropriations. A Bill for an Act entitled, "An Act appropriating money for the payment of deficiency claims in connection with the Meat and Milk Inspector's Office."

Referred to Committee on Finance and Claims.

H. B. No. 173: By Committee on Appropriations. A Bill for an Act entitled, "An Act apropriating money for the payment of deficiency claims in connection with the State Veterinarian's clerical hire.

Referred to Committee on Finance and Claims.

Referring back to second order of business, Standing Committee reported as follows:

Senate Chamber, Helena, Montana, February 7, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bills 45, 40 and Senate Joint Resolution No. 1 correctly printed.

SANDERS, Chairman.

Report adopted and bills referred to General File.

Following notices of bills were given:

By McLean: A Bill for an Act to provide for the restoration to the Public Domain of certain lands heretofore withdrawn from settlement upon application of the State of Montana, under the provisions of an Act of Congress, approved August 18, 1894, entitled 'An Act making appropriation for sundry civil expenses of the Government for the fiscal year ending June 30,

1895, and for other purposes' and amendments thereto; to abolish the Carey Land Act Board and Office of State Engineer, and to authorize the State Board of Land Commissioners to carry out the unfinished business of said Carey Land Act Board; and to repeal Chapter 114 of the Laws of 1903 and Chapter 85 and Chapter 105 of the Laws of 1905.

By McLean: A Bill for an Act entitled, "An Act to prohibit the issuance of a license to any person, corporation or association for the conduct of a wholesale liquor dealer's business in any town, city, camp or village, having a population of less than one hundred."

By Edwards: A Bill for an Act entitled, "An Act for the submitting to the electors of the State of Montana, an amendment to Section 9 of Article XI of the Constitution of the State of Montana, relating to the rate of taxation for Sate purposes."

By Miles: A Bill for an Act providing for the parole of prisoners confined in the State Prison and authorizing the State Board of Prison Commissioners to grant paroles to such prisoners.

The following Joint Resolution was offered by Edwards:

Senate Joint Resolution No. 2:

Whereas, under and by virtue of the provisions of the Constitution and the Law it is necessary and required that the State Printing be done only under contract, and that the State Furnishing Board shall award and execute a proper contract to the lowest responsible bidder pursuant to the provisions and requirements of the Constitution and Law for the public printing of the State of Montana for both the Legislative, Executive and Judicial Departments of the State, and

Whereas, such Public Printing of the State of Montana is a matter of grave importance, involving as it does the expenditure of large sums of money from the State Treasury, and

Whereas, it appears that there is not now in existence a proper and legal contract for such printing duly and regularly executed and approved as required by the provisions of the Constitution and Law;

Now Therefore, be it Resolved, that a Committee of Five be appointed, two from the Senate and three from the House of Representatives to inquire into the reasons, if any there be, why such contracts have not been executed and approved by the State Officers charged with the performance of such duties.

Long moved the adoption of the Resolution.

Miles offered as substitute motion that the Resolution be referred to the Judiciary Committee.

McCarthy requested the reading of the Resolution.

Substitute motion carried and Resolution referred to Judiciary Committee.

The following communication from His Excellency the Governor, was received and read:

Executive Office, Helena, Montana, February 7, 1907.

To the President of the Senate, Helena Montana.

With profound regret and great sorrow I announce to the Senate the death of the Honorable Preston H. Leslie, once Governor of the Territory of Montana, who died in this City today at 7:45 o'clock A. M. in the eighty-eighth year of his age.

He was an illustrious citizen, whose eminent learning, high character and

civic virtues, entitle his memory to a secure place in the affections of our people.

J. K. TOOLE, Governor.

Following Resolution received and read:

Joint Concurrent Resolution. By Marshall:

Whereas, The hand of death has been laid upon Preston H. Leslie, an honored citizen of this State, formerly territorial Governor of Montana, and twice Governor of the State of Kentucky, and,

Whereas, in the purity of his public and private life, Preston H. Leslie, was a worthy exemplar for the young men of his time, therefore be it,

Resolved, by the Senate and the House of Representatives of the Legislative Assembly of the State of Montana, that we deplore the death of this honored citizen of our State, and be it further,

Resolved, that the sincere sympathy of this assembly is hereby extended to the family of Governor Leslie, and be it further

Resolved, That as a mark of our respect for the deceased, the two Houses of this Assembly adjourn at noon today, and that a Joint Committee of the House of Representatives be appointed to confer with the family of the late Preston H. Leslie to arrange for a State Funeral, and

Be it further resolved, that these resolutions be spread upon the Journals of the Senate and House of Representatives, and that a copy of these resolutions be sent to the family of the Governor Leslie.

On motion of Martien the resolution was adopted by a silent standing vote.

After giving notice the President pro tem signed House Bills Nos. 5, 70, 112, 110, 111, 63, 109, 15, 64, 32 and 55.

The President pro tem appointed Martien, Miles and McCone to act with a Joint Committee from the House to confer with the family of the late Preston H. Leslie.

Referring back to second order of business, Committee on Enrolled Bills reported as follows:

Senate Chamber, Helena, Montana, Feb. 7, 1907.

Mr. President:

Your Committee on Enrolled Bills desires to report that it has engaged Mrs. Clara Lawyer as Clerk.

RAE, Chairman.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

THIRTY-THIRD DAY

Helena, Montana, February 8th, 1907.

Senate convened at 10:30 A. M.

President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 8th, 1907.

Mr. President:

Your Committee on Enrolled Bills reports Senate Bill No. 9 as correctly enrolled.

Respectfully submitted,

RAE, Chairman.

Senate Chamber, Helena, Montana, February 7th, 1907.

Mr. President:

Your Committee on Apportionment and Representation, to whom was referred Senate Bill No. 65, being a Bill for an Act entitled "An Act to provide for apportionment of membership and representation of the several Counties of Montana in the House of Representatives of Legislative Assemblies of Montana, and to fix the number of members thereof, beg leave to report:

That they have duly considered said Bill, and respectfully recommend that it do pass.

EDWARDS, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 8th, 1907.

Mr. President:

Your Committee on Horticulture having had under consideration House Bill No. 79, respectfully recommend that the same be concurred in.

ROMNEY, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 8th, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bill numbered 25, beg leave to report as follows:

That the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for third Reading.

Senate Chamber, Helena, Montana, February 7th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill numbered 61, being an Act concerning delinquent Children or delinquent Juvenile persons defining same, and providing for their apprehension, custody and disposition; the jurisdiction of courts and proceedings therein, and concerning the parents, guardians and other persons responsible for the custody, care, guardiance, education and maintenance and control of such children, and providing for their punishment in cases of delinquency therein.

Beg leave to report that they have considered the same and recommend that the bill do pass.

Respectfully submitted,

WHITE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 7th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill numbered 62, being a Bill regulating and prescribing the manner of measuring of hay in

stacks to determine tonnage, beg leave to report and recommend that it do pass.

Respectfully submitted,

WHITE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 7th, 1907.

Mr. President:

Your Committee on Counties, Towns and Municipal Corporations have had under consideration Senate Bill No. 68 and offer herewith a substitute therefor, and recommend that Substitute for Senate Bill No. 68 do pass.

McLEAN, Acting Chairman.

On motion of Albright report adopted and Substitute for Senate Bill No. 68 referred to Printing Committee.

Senate Chamber, Helena, Montana, February 7th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 95 beg leave to report as follows:

In Section 1 after the word Fred Whiteside add the word James O. Reed, and after the figures 6320, add the figures 1140, and as so amended the bill be concurred in.

Respectfully submitted,

McCONE, Chairman.

On motion of White report adopted, and Bill referred to General File.

Senate Chamber, Helena, Montana, February 8th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 49, a Bill for an Act entitled "An Act appropriating money for the purchasing and erecting in the main hall of the capitol, a bronze tablet to the memory of Captain James Williams, recommend the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 8th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 67, a Bill for an Act entitled "An Act to appropriate money for the payment of the deficiency claim of Mitchell and Mussigbrod for the care of patients of the Insane Asylum for the year 1906." Recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 8th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred Senate Bill number 1, being a Bill for an Act entitled "An Act appropriating money for the relief and benefit of the Montana State Normal College," respectfully beg leave to report and recommend that the amendment adopted upon the report and recommendation of the Committee on Public Buildings, to whom said Bill

was heretofore referred, be stricken out, and that the bill do pass in the form originally introduced.

Respectfully submitted,

McCONE, Chairman.

On motion of McLean report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 8th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill numbered 60, being an Act concerning independent and neglected children, and concerning the parents, guardians or other persons responsible for the custody, care, maintenance and support of such children, and their punishment for the neglect of such children, beg leave to report that they have considered same and recommend that the Bill do pass.

Respectfully submitted,

WHITE, Chairman.

Report adopted and Bill referred to Printing Committee.

After giving notice, President signed Senate Bill No. 9.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, February 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notice of the following concurrent House Resolution was this day received.

By Shaw:

"Resolved by the Senate and House of Representatives of the State of Montana:

That application is hereby made to Congress, under the provisions of Article 5 of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the United States, making the Senators of the United States elective in the several States by direct vote of the people, and,

Resolved, further that the Secretary of State is hereby directed to transmit copies of this application to the Senate and House of Representatives from this State; also to transmit copies hereof to the Presiding officers of the Legislatures now in session in the several States, requesting their co-operation."

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced and read first and second times:

By Bennett: H. B. No. 253. A Bill for an Act defining the crime of burglary with explosives and fixing the punishment therefor.

By Miller of Lewis and Clark: H. B. No. 254. A Bill for an Act to amend Section 1260 and to repeal Section 1261 of Chapter 5, and to amend Section 1411, Chapter 10 of the Political Code of the State of Montana relative to Judges of Election.

By Miller of Lewis and Clark: H. B. No. 255. A Bill for an Act to amend Section 353 of the Penal Code of the State of Montana relating to verdict of juries in murder trials.

By Weed: H. B. No. 256. A Bill for an Act to amend Section 1 of an

Act entitled "An Act to provide the conditions upon which foreign corporations may do business in this State, and to repeal Section 1030 to 1038 inclusive of the Civil Code of Montana" approved March 9, 1901, and to add subdivision 7 to said Section 1, providing for the filing of alterations and amendments to the Charter of Articles of Incorporations of foreign corporations, and for the filing of certificates of increase of capital stock or continuance of corporate existence, and for the payment of fees therefor.

By Allen: H. B. No. 257. A Bill for an Act entitled "An Act for the submitting to the qualified electors of the State of Montana an amendment to Article XII of the Constitution of the State of Montana relating to the revenue and taxation and providing for an increase in the tax levy.

By Goff: H. B. No. 258. A Bill for an Act entitled "An Act to amend Section 1 of Chapter 27 of the Acts of the Ninth Legislative Assembly, being an act to authorize Cities and Towns to create Special Improvement Districts, and to levy special assessments upon the property of such districts for the purpose of defraying the cost of construction or acquiring a system of water works, and laying extensions to water mains, approved February 21st, 1905."

By Miller of Park: H. B. No. 259. A Bill for an Act entitled "An Act for the protection of the health of the men employed in underground mines and smelters, stamp mills, sampling works, concentrators or any works where ores or coal are mined, reduced, washed or treated, by regulating their hours of employment, and providing penalties for the violation thereof; and repealing House Bill No. 1 (Sections 1 to 5 inclusive) of the Session Laws of 1901, entitled "An Act for the protection of the health of the men employed in underground mines and in smelters, stamp mills, sampling works, concentrators or any works where ores are mined or reduced by regulating their hours of employment, and providing penalties for the violation thereof."

By Miller of Park: H. B. No. 260. A Bill for an Act entitled An Act repealing Article XV, Chapter III, Title I, (Section 580 to 590 inclusive) of the Political Code of the State of Montana, and providing for the qualification, appointment, salary and expense of State Inspector of Mines, and for the appointment, salary and expense of Deputy Mine Inspector; providing the inspection fees for the Inspection of Mines and for the payment and collection of the same; and providing the duties of the State Inspector of Mines.

By Weed, by request: H. B. No. 261. A Bill for an Act to amend Sections 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490 and 2491, Chapter IV, Part II, of the Criminal Code of Montana relating to the examination of witnesses conditionally.

By Boorman: H. B. No. 262. A Bill for an Act entitled "An Act to provide for the appointment of commissioners to compile and arrange the Codes and Statutes of Montana, and to prescribe their duties and powers, and to provide for their compensation."

By Kirwan: H. B. No. 263. A Bill for an Act entitled "An Act to amend 4786 of the Political Code relating to the duties of City Attorney."

By Wilder: H. B. No. 264. A Bill for an Act entitled "An Act to amend Section 3780 of the Political Code relating to County Boards of Equalization.

By Gray, by request: H. B. No. 265. A Bill for an Act entitled "An Act to amend Section 3480 of the Political Code, as enacted by an Act of the Sixth Legislative Assembly approved March 1, 1899, and amended by the Act of the Eighth Legislative Assembly approved February 25, 1903, and to amend

Section 3591 of the Political Code as enacted by the Act of the Sixth Legislative Assembly approved March 1, 1899, relating to the sale and leasing of state lands.

By Seidler: H. B. No. 266. A Bill for an Act entitled "An Act to provide for the appointment of a Clerk for the Office of State Mine Inspector, and State Coal Mine Inspector."

By Seidler: H. B. No. 267. A Bill for an Act entitled "An Act providing for the establishment of wash houses at coal mines, and providing penalties for a failure to comply with the same.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following notices of Bills were this day received:

By Miller of Park: A Bill for an Act to amend Section 1 and 8 of Article 5 of Chapter 106 of the Laws of 1905, and providing for the payment of interest on cost of constructing drains where payments is extended for more than one year.

By Miller of Park: A Bill for an Act to amend Section 10 of Article II of Chapter 106 of the Laws of 1905, and providing when the fee of lands necessary to be taken for drains shall vest.

By Burk: A Bill for an Act entitled "An Act to amend Section 402, Article 5, Chapter III, Part III, Title I, of the Political Code, providing for the distribution of Published copies of the Senate and House Journals.

By Gerber: A Bill entitled "An Act prohibiting the use of fire arms by children under the age of sixteen.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 7th, 1907.

Mr. President:

I am directed to inform your Honorable Body that the following notices of Bills were this day received:

By Shaw: A Bill relating to County Teacher's Institutes.

By Moore: A Bill for an Act to provide for the appointment of a commissioner to compile and revise the Codes and other laws of Montana, to provide for the publication of such Codes, to provide for the compensation of such commissioner and to make an appropriation therefor.

By Allen: A Bill for an Act entitled "An Act relating to banking, brokerage, exchange, loan and deposit business, amending Section 986 of the Penal Code of the State of Montana.

By Powers: A Bill for an Act entitled "An Act to provide sanitary conditions in quartz mines and providing penalty for the violation thereof.

By Selway: A Bill for an Act entitled "An Act appropriating money for the relief and benefit of the Montana State Normal School.

By Scallon: A Bill for an Act relating to the law of sales of goods and making uniform the law relating thereto.

By Scallon: A Bill for an Act providing for the appointment of a Com-

mission of three on uniform State Legislation, and for the expenses of such Commission.

Respectfully,
NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Speaker appointed as Committee of the House to meet with a like Committee of the Senate to arrange for a state funeral of the late Preston H. Leslie: Marshall, Bennett, and Shaw.

Respectfully,
NATHAN GODFREY, Chief Clerk.

Referring back to the Second order of business standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 8th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill No. 77, being a Bill for an Act entitled "An Act to amend Section 397 and 1503 of the Code of Civil Procedure, relating to appearances in all Courts of the State," beg leave to report:

That they have duly considered said Bill, and respectfully recommend that it be printed and referred to the Committee of the Whole.

WHITE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 8th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred House Bill No. 107, being a Bill for an Act entitled, "An Act providing for filing amended certificates of Incorporation, and other certificates relating to Corporations," beg leave to report:

That they have duly considered said Bill, and respectfully recommend that it be not concurred in.

WHITE, Chairman.

On motion of White report adopted and H. B. No. 107 indefinitely postponed.

Senate Chamber, Helena, Montana, February 8th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Joint Resolution No. 2, being a Substitute respecting the Printing Contract, beg leave to report:

That they have duly considered the same, and respectfully recommend that it be adopted.

WHITE, Chairman.

Annin moved to amend the resolution by inserting after the words "two from the Senate" the following: "to be named by the President of the Senate."

Motion carried and amendment adopted.

On motion of Miles the resolution as amended was passed.

The President named Edwards and Long as provided in the above amendment.

Senate Chamber, Helena, Montana, February 8, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 10, being a Bill for an Act creating the Fourteenth Judicial District of the State of Montana, to be composed of the County of Ravalli, and providing for the appointment of a Judge thereof, beg leave to report:

That they have duly considered said Bill, and respectfully recommend that it be indefinitely postponed.

WHITE, Chairman.

On motion of White report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 8, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred House Bill No. 84, being a Bill for an Act entitled "An Act to amend Section 313 of the Political Code relating to distribution of Public Reports, "beg leave to report as follows:

That they have duly considered said Bill, and respectfully recommend that it be concurred in.

WHITE, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 8, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 76, being a Bill for an Act entitled "An Act regarding divorce cases, and providing that such cases shall not be brought on for trial or hearing until after the lapse of thirty clear days after the filing of the complaint and that no judgment or decree shall be made or entered until after the lapse of thirty-five clear days after the filing of the complaint," beg leave to report:

That they have duly considered said bill, and respectfully recommend that it be indefinitely postponed.

WHITE, Chairman.

On motion of White report was adopted and Bill indefinitely postponed.

The following Bills were read a first and second time:

S. B. No. 80, by McLean: A Bill for an Act to provide for the restoration to the Public Domain of certain lands heretofore withdrawn from settlement, upon application of the State of Montana under the provisions of an Act of Congress approved August 18, 1894, entitled "An Act making appropriation for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes," and amendments thereto; to abolish the Carey Land Act Board and office of State Engineer, and to authorize the State Board of Land Commissioners to carry out the unfinished business of said Carey Land Act Board, and to repeal Chapter 114 of the Laws of 1903 and Chapter 85 and Chapter 105 of the Laws of 1905.

Referred to Committee on Public Lands.

S. B. No. 81, by Miles: A Bill for "An Act providing for the parole of prisoners confined in the State Prison, and authorizing the State Board of Prison Commissioners to grant paroles to such prisoners, subject to certain conditions and regulations to be provided by the said State Board."

Referred to Committee on Judiciary.

S. B. No. 82, by McLean: A Bill for an Act entitled, "An Act to prohibit the issuance of a license to any person, corporation or association for the

conduct of a wholesale liquor dealer's business in any town, city, camp or village having a population of less than one hundred."

Referred to Committee on Finance and Claims.

S. B. No. 83, by Edwards: A Bill for an Act entitled, "An Act for the submitting to the Electors of the State of Montana, an amendment to Section 9 of Article XI of the Constitution of the State of Montana, relating to the rate of taxation for State purposes.

Referred to Committee on Judiciary.

By unanimous consent rules were suspended and the following Bill introduced without previous notice.

S. B. No. 84, by McLean: A Bill for an Act entitled, "An Act regulating public livestock markets and providing for the inspection of all livestock sold at such markets at auction or otherwise."

Referred to Committee on Stockgrowing and Grazing.

On motion of White S. B. No. 45 was withdrawn from the General File and re-referred to Committee on Judiciary.

On motion of Edwards S. B. No. 52 was withdrawn from the General File and re-referred to Committee on Irrigation.

On motion of Long H. B. No. 104 was withdrawn from the General File and re-referred to the Committee on Counties, Towns and Municipal Corporations.

Senate Joint Resolution No. 2, by Everett: Respecting the Printing Contract.

Referred to Committee on Judiciary.

Following notices of introduction of Bills were given:

By Haviland, by Request: A Bill for an Act to amend Sections 1310 and 1311 of the Code of Civil Procedure of the State of Montana, relating to Parties to Actions to Quiet Title.

By McLean: A Bill for an Act entitled, "An Act to protect owners of horses and to cause the inspection of the same before removal from one county to another or beyond the boundaries of the State of Montana.

On motion of Miles Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

McCarthy in the Chair.

Committee arose.

Senate resumed.

President in the Chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 8, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that,

S. B. No. 35 do pass.

That S. B. No. 40 be amended in Section 1940a by striking out in line 7 the word "three" and inserting in lieu thereof the word "four," and that as amended the Bill do pass.

That S. J. R. No. 1 do pass.

That H. B. No. 79 be concurred in.

That H. B. No. 49 be concurred in.

That H. B. No. 67 be concurred in.

That S. B. No. 1 do pass.

That H. B. No. 95 be amended in Section 1 by striking out in line 1 "One Hundred and Sixty-two Dollars and sixty-five cents" and in line 2 the figures ($162.65) and inserting in lieu thereof in line 1 the words "One Hundred and Seventy-four Dollars and five cents" and in line two ($174.05), and as amended the Bill be concurred in.

That H. B. No. 84 be concurred in.

McCARTHY, Chairman.

On motion of McCarthy report adopted, and Senate Bills Nos. 35, 40, S. J. R. No. 1, and S. B. No. 1, referred to Committee on Engrossed Bills.

House Bills Nos. 79, 49, 67, 95 and 74 referred to calendar for third reading.

By unanimous consent Rules were suspended and the following Bills considered read a third time at length, read by title only:

S. B. No. 25 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Harper, Long, Martien, Metcalf, Miles, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott.—20.

Noes—None.

Absent and not voting: Cowgill, Donlan, Glidden, Haviland, Muffly, McDonnell, White.—7.

Title agreed to.

H. B. No. 49 concurred in by the following vote.

Ayes: Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Harper, Haviland, Martien, Metcalf, Miles, McCarthy, McCone, Rae, Romney, Sanders, Tooley, Truscott, White.—20.

Noes—None.

Absent and not voting: Cowgill, Donlan, Glidden, Long, Muffly, McDonnell, McLean.—7.

Title agreed to.

H. B. No. 67 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—22.

Noes—None.

Absent and not voting: Cowgill, Donlan, Glidden, Muffly, McDonnell.—5.

Title agreed to.

H. B. No. 79 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—22.

Noes—None.

Absent and not voting: Cowgill, Donlan, Glidden, Muffly, McDonnell.—5.

Title agreed to.

H. B. No. 84 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Harper, Long, Martien, Metcalf, Miles, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—21.

Noes—None.

Absent and not voting: Cowgill, Donlan, Glidden, Haviland, Muffly.—6.

Title agreed to.

H. B. No. 95 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Everett, Fairbanks, Harper, Long, Martien, Metcalf, Miles, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—20.

Noes—None.

Absent and not voting: Cowgill, Donlan, Edwards, Glidden, Haviland, Muffly, McDonnell.—7.

Title agreed to.

Adjourned until 2 P. M. Monday.

H. K. HOWRY, Secretary.

THIRTY-SIXTH DAY

Helena, Montana, February 11th, 1907.

Senate convened at 2 P. M.

President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Long and Everett reported for roll call.

A petition from the Clyde Park Precinct of Park County, Montana, petitioning the officers of Park County to give their immediate and continued attention to the enforcement of the laws of the State relative to the closing of saloons on Sunday in country districts, gambling, etc., and also remonstrating against the action of the Legislature in "postponing indefinitely" the anti-gambling bill was received, read and placed on file.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 11th, 1907.

Mr. President:

Your Committee on Printing, to whom was referred Senate Bills numbered 26, 27, 31 and 42, beg leave to report same correctly printed.

SANDERS, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, February 11th, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bill No. 4 beg leave to report as follows:

That the same has been correctly enrolled.

Respectfully submitted,

RAE, Chairman.

Senate Chamber, Helena, Montana, February 11th, 1907.

Mr. President:

Your Committee on Public Lands, having had under consideration Senate Bill No. 66, An Act entitled "An Act to create the office of State Fire Warden, providing for the appointment of deputies, and relating to their compensation

and duties," report the same back with the recommendation that the same do pass.

Respectfully submitted,

LONG, Acting Chairman.

Report adopted, and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 8, 1907.

Mr. President:

Your Committee on Agricultural and Manufactures to whom was referred Senate Bill numbered 53 beg leave to report as follows:

That said Bill has been duly considered and report same back with the recommendation that same do pass.

Respectfully submitted,

McDONNELL, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 8, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bills numbered 35 and 40, and Senate Joint Resolution No. 1, beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills numbered 35 and 40 and Senate Joint Resolution No. 1 referred to Calendar for third reading.

Senate Chamber, Helena, Montana, February 8, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bills numbered 8 and 46, beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills referred to Calendar for third reading.

After giving notice President signed Senate Bill number 4.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, February 8, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Notices of Bills were this day received:

By Gray: A Bill for an Act to amend Sections 2350, 2351 and 2352 of the Code of Civil Procedure of the State of Montana, relating to the probate of foreign Wills.

By Thompson of Sanders: A Bill for an Act providing for a Civil Action on the part of the State for the abatement of public nuisances.

By Miller of Park: A Bill for an Act to prohibit discrimination in charges of telephone rentals in different cities and villages and fixing a penalty for the violation thereof.

By Miller of Park: A Bill for an Act preventing the manufacture and sale of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and providing for the administration and enforcement thereof, and for the creation of the office of

State Chemist, prescribing and defining his duties, and fixing the salary and expenses of said office.

Respectfully,
NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 8, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following notices of Bills were, this day, received:

By Bennett: A Bill for an Act authorizing Board of County Commissioners in Counties of the First class to establish and maintain a Law library, and to provide for its care and maintenance.

By Scallon: A Bill for an Act entitled "An Act providing for the Initiative and Referendum in Cities and Towns."

By Gerber: A Bill for an Act entitled "A Bill for an Act to amend Section 4807 of the Political Code relating to contracts of Municipal Corporations."

By Towers: A Bill appropriating money for the payment of certain Duplicate Bounty Certificates.

By Weed: A Bill for an Act providing for the appointment of a special examiner to inquire into and investigate the affairs and conditions of private banks, or any Banking Corporations or other corporations, whether foreign or domestic, doing business in the State of Montana, and prescribing his powers and duties.

By Scallon: A Bill for an Act to amend Section 1060 of the Code of Civil Procedure of the State of Montana relating to challenges to jurors.

By Scallon: A Bill for an Act entitled "An Act providing for a commission for the promoting of uniformity of Legislation in United States and for the payment of the necessary expenses of the members of such commission.

By Greene: A Bill for an Act to prohibit Gun clubs from the practice of competitive shooting within a less distance than one mile of any town or village of five hundred people or more.

By Whiteside: A Bill to provide revenue, by providing a license tax on corporations.

Respectfully,
NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 8, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced and read first and second times:

By Shaw: H. B. No. 268. A Bill for an Act to amend Section 1900 and Section 1904 as amended by the laws of 1897, Article 12, Chapter 6, Title III, Part III of the Political Code of the State of Montana, relating to County Teachers Institutes and to the means of raising funds to defray the expenses of such Institutes.

By Miller of Park: H. B. No. 269. A Bill for an Act to amend Section 10, Article 2, Chapter 106, of the Laws of 1905, and providing when the fees of lands necessary to be taken for drains shall vest.

By Gerber: H. B. No. 270. A Bill for an Act entitled "An Act prohibiting the use of fire arms by children under the age of sixteen years.

By Allen: H. B. No. 271. A Bill for an Act entitled "An Act relating

to banking, brokerage, exchange, loan and deposit business, and amending Section 986 of the Penal Code of the State of Montana.

By Moore: H. B. No. 272. A Bill for an Act to provide for the appointment of a Commissioner to compile and revise the Codes and other Laws of Montana, to provide for the publication of such Codes, and to provide for the compensation of such Commissioner, and to make an appropriation therefor."

By Duncan: H. B. No. 273. A Bill for an Act entitled "An Act to amend Section 2931 of the Code of Civil Procedure of Montana, and to extend the powers of the Clerk of the District Court in the absence of the Judge.

By Gray: H. B. No. 274. A Bill for an Act entitled "An Act to provide for the sale of estrays."

By Selway: H. B. No. 275. A Bill for an Act entitled "An Act appropriating money for the relief and benefit of the Montana State Normal School."

By Burke: H. B. No. 276. A Bill for an Act entitled "An Act to amend Section 402, Article V, Chapter III, Part III, Title I, of the Political Code, providing for the distribution of copies of the Senate and House Journals.

By Miller of Park: H. B. No. 277. A Bill for an Act to amend Section 1 and 8 of Article V, Chapter 106, of the Laws 1905, and providing for the payment of Interest on cost of constructing drains where payments are extended for more than one year.

House Joint Resolution No. 4: By O'Connor. Relating to forest reserves by the General Government.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 11th, 1907.

Mr. President:

I am instructed by the House to inform your Honorable Body that House Bill No. 1, having been read a third time and passed by the House is herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 8, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 22, having been read a third time and passed by the House is herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following notices of Bills were this day received:

By Duncan: A Bill for an Act entitled "An Act relating to the confiscation by a railroad or railway Company, of coal or other merchandise, and providing penalties for the violation of this Act.

By Barbour: A Bill for an Act to amend Section 607 of the Political Code of the State of Montana, relating to the fees of candidates for examination for license to practice medicine and surgery in the State of Montana, and application therefor.

By Bennett: A Bill for an Act entitled "An Act regulating the sale and providing for the inspection of oils used in illuminating and heating purposes and in automobiles, establishing a standard test therefor, and prescribing penalties.

By Seidler: A Bill for an Act to amend Section 670 of Chapter I, Title IV of the Civil Code, relating to Insurance Companies.

By Cameron: A Bill for an Act to amend Sections 491, 495, 496, 497, 498, and 499 of the Political Code of Montana as amended by Chapter C, Acts 1903, relating to the State Examiner's Office and fund.

By Cameron: A Bill for an Act to amend Section IV of Chapter XXII of the Laws of 1905, and for adding to said Act a Section to be numbered 6a, relating to public scales.

By Gray: A Bill for an Act to require the contractor or head Physician of the State Insane Asylum to make a monthly report to the District Courts showing the condition of each person committed to the said asylum by the different Courts.

By Greene: A Bill for an Act to prohibit the playing on Sunday, of Base Ball, Foot Ball and Crickett within a distance of less than one mile from the limits of any town of three hundred population or more."

By Macauley: A Bill for an Act entitled "An Act to provide for the appointment of a State Board of voting machine Commissioners, defining their duties, powers and compensation thereof, and providing rules and regulations for the ues of voting machines in all Counties, Cities, Towns and Districts of the State of Montana.

By Blake, by Request: A Bill for an Act to regulate the practice of barbering in the State of Montana.

By Allen: A Bill to define and regulate the practice of Osteopathy in the State of Montana, and to provide for the punishment of violations thereof.

By Marshall: A Bill to amend Section 2097 of the Penal Code relating to trials in criminal cases.

Respectfully,

NATHAN GODFREY, Chief Clerk.

After giving notice the President signed House Bills Nos. 91, 92, 93, 94, and 113.

Following Bills read first and second times:

S. B. No. 85: By McLean. A Bill for an Act entitled "An Act to protect the owners of horses, mules and asses, and to cause the inspection of the same before removal from one County to another or beyond the boundaries of the State of Montana."

Referred to Committee on Stockgrowing and Grazing.

S. B. No. 86: By Haviland, by Request. A Bill for an Act to amend Sections 1310, and 1311 of the Code of Civil Procedure of the State of Montana relating to parties to actions to quiet title."

H. B. No. 22: By McDonald. A Bill for an Act entitled "An Act to create a disability fund in Cities and Towns in the State of Montana, having a paid Fire Department for the benefit of firemen disabled in the line of duty; authorizing Cities and Towns to levy an annual tax for the maintenance of said fund; providing for the organization, government and control thereof, and providing penalties for the violation thereof; and to repeal Sections 8 and 9 of House Bill No. 17 of the Session Laws of 1899 of the State of Montana, en-

titled 'An Act to provide for the Organization, government and control of a fire department for Cities and Towns regulating appointments thereto, and providing for the creation of a disability fund, for the care and maintenance of Firemen in the line of duty, and to punish frauds thereon,' approved March 7, 1899; and to repeal Chapter CXIII of the Session Laws of 1903 of Montana, relating to the payment of taxes received from Fire Insurance Companies, Corporations and Asociations doing business in the State of Montana, for the maintenance of fire departments, Approved March 7, 1903.

Referred to Committee on Counties, Towns, and Municipal Corporations.

On request of Miles Rules were suspended and the following Bills were read first and second times by title only.

H. B. No. 1: By Shaw, Tudor and Weed. A Bill for an Act entitled "An Act to create and establish a Board of Railroad Commissioners for the State of Montana, providing for the appointment and election of the members thereof, and defining their powers and duties, and providing remedies for the enforcements of the provisions of this Act, and penalties for the violation thereof.

Referred to Committee on Railroads and Transportations.

Following Notices of Introduction of Bills were given:

By Martien: A Bill for an Act to amend Section 449 of the Political Code of the State of Montana, relating to the Bond of State Treasurer.

By Annin: A Bill for an Act entitled "An Act to create the County of Roosevelt; by designating and defining its boundaries, and to provide for its organization and government; and to apportion the indebtedness existing between the said County of Roosevelt, and the Counties, of Carbon, Sweetgrass and Yellowstone."

On motion of Miles Senate Bill No. 8 was withdrawn from the calendar for third reading and re-referred to General File.

By unanimous consent rules were suspended and the following Bills were considered read a third time at length, read by title only:

S. B. No. 35, passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McDonnell, Rae, Sanders, Tooley, White.—20.

Noes—None.

Absent and not voting: Donlan, Glidden, McCarthy, McCone, McLean, Romney, Truscott.—7.

Title agreed to.

S. B. No. 46 was passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McDonnell, Rae, Romney, Sanders, Tooley, Truscott, White.—22.

Noes—None.

Absent and not voting: Donlan, Glidden, McCarthy, McCone, McLean.—5.

Title agreed to.

S. B. No. 40 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McDonnell, Rae, Sanders, Tooley, Truscott.—20.

Noes—White.—1.

Absent and not voting: Donlan, Glidden, Muffly, McCone, McLean, Romney.—6.

Title amended by adding the following words "relating to levy of taxes for support of common schools."

Title as amended agreed to.

S. J. R. No. 1. Passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Muffly, McCarthy, McDonnell, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Donlan, Glidden, Miles, McCone, McLean.—5.

Title agreed to.

Referring back to Ninth order of Business the following notice of introduction of Bill was given:

By Haviland, by Request: A Bill for an Act to encourage cultivation of fish and providing for their ownership and sale.

Adjourned until 10:30 tomorrow.

H. K. HOWRY, Secretary.

THIRTY-SEVENTH DAY

Helena, Montana, February 12th, 1907.

Senate convened at 10:30 A. M.

President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Annin reported for roll call.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 12th, 1907.

Mr. President:

Your Committee on Railroads and Transportation to whom was referred House Bill numbered 30 beg leave to report as follows, that we have had under consideration said Bill and recommend that the same be not concurred in.

Respectfully submitted,

EVERETT, Chairman.

On motion of White report adopted and House Bill No. 30 not concurred in.

Senate Chamber, Helena, Montana, February 11th, 1907.

Mr. President:

We, your Committee on Livestock and Public Ranges, have had under consideration Senate Joint Resolution No. 3, and recommend that same be amended by adding, after the words "Per head" in line 14 of the original bill, the words "or any leasing system," and, as so amended the Resolution do pass.

BIELENBERG, Chairman.

On motion of Bielenberg report adopted and Resolution referred to Printing Committee.

Senate Chamber, Helena, Montana, February 12th, 1907.

Mr. President:

Your Committee on Printing beg leave to report Joint Rules of House and Senate, Senate Joint Memorial No. 1 and Senate Bills No's. 55, 63, and 64 correctly printed.

SANDERS, Chairman.

Report adopted and Senate Joint Memorial No. 1 and Senate Bills Nos. 55, 63 and 64 referred to General File.

Senate Chamber, Helena, Montana, February 11th, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bill numbered 1, beg leave to report as follows:

That the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for third reading.

Senate Chamber, Helena, Montana, February 11th, 1907.

Mr. President:

We, your Committee on Live Stock and Public Ranges, beg to report, having had under consideration Senate Bills numbered 78 and 84, and recommend that the same do pass.

BIELENBERG, Chairman.

Report adopted and Bills referred to Printing Committee.

Senate Chamber, Helena, Montana, February 12th, 1907.

Mr. President:

Your Committee on Railroads and Transportation to whom was referred Senate Bill numbered 72 beg leave to report as follows:

That we have had under consideration said Bill and recommend that it do not pass.

Respectfully submitted,

EVERETT, Chairman.

On motion of Albright report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 12th, 1907.

Mr. President:

Your Committee on Railroads and Transportation, to whom was referred House Bill numbered 98 beg leave to report as follows:

That they have had under consideration said Bill and recommend that the Bill be referred to Judiciary Committee.

Respectfully submitted,

EVERETT, Chairman.

On motion of Sanders report adopted and Bill re-referred to Judiciary Committee.

Senate Chamber, Helena, Montana, February 12th, 1907.

Mr. President:

Your Committee on Railroads and Transportation to whom was referred Senate Bill No. 73 beg leave to report as follows: That we recommend that the Bill be printed.

Respectfully submitted,

EVERETT, Chairman.

Report adopted and Bill referred to Printing Committee.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, February 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bills Nos. 6 and 32 having been read a third time and concurred in by the House are herewith returned.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 35, 39, 65, 129 and 165 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced:

By Scallon: H. B. No. 278. A Bill for an Act to amend Section 1050 of the Code of Civil Procedure of the State of Montana, relating to the challenges of Jurors.

By Scallon: H. B. No. 279. A Bill for an Act entitled "An Act providing for a Commission for the promotion of uniformity of Legislation in the United States, and for the payment of the necessary expenses of the members of such commission."

By Committee on Sanitary Affairs: H. B. No. 280. A Bill for an Act preventing the manufacture and sale, of adulterated, or mis-branded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and providing for the administration and enforcement thereof, and for the creation of the office of State Chemist, prescribing and defining his duties, and fixing the salary and expenses of said office.

By Hess: H. B. No. 281. A Bill for an Act entitled "An Act to regulate plumbing in cities in the State of Montana, providing for the licensing of persons, to carry on the business and work of plumbing, creating a board of plumbing examiners, fixing the compensation of plumbing examiners, and providing penalties for the violation thereof."

By Towers, by Request: H. B. No. 282. A Bill for an Act entitled an Act approving certain Bounty Certificates, and appropriating money for the payment thereof."

By Gray, by Request: H. B. No. 283. A Bill for an Act entitled "An Act to amend Sections 2350, 2351 and 2352 of the Code of Civil Procedure of the State of Montana, relating to the probate of foreign wills."

By Gray: H. B. No. 284. A Bill for an Act entitled "An Act to amend Sections 280 and 282 of the Code of Civil Procedure of Montana relating to the summoning of jurors.

By Gerber: H. B. No. 285. A Bill for an Act to amend Section 4807 of the Political Code relating to the contracts of Municipal Corporations.

By Bennetts: H. B. No. 286. A Bill for an Act to authorize Boards of

County Commissioners in Counties of the first class to establish and maintain a Law library, and to provide for its care and maintenance.

By Seidler: H. B. No. 287. A Bill for an Act to appropriate moneys out of the Fish and Game fund for the extermination of carp in the Missouri River and its tributaries.

By Thompson of Sanders: H. B. No. 288. A Bill for an Act providing for a civil action on the part of the State for the abatement of public nuisances.

By Miller of Park: H. B. No. 289. A Bill for an Act to prohibit discrimination in the charges of telephone rentals in different cities and fixing the penalty for violation thereof.

By Weed: H. B. No. 290. A Bill for an Act providing for the appointment of a special examiner to inquire into and investigate the affairs and conditions of Private Banks, Bankers, or any banking corporation, or other corporations whether foreign or domestic, doing business in the State of Montana, and prescribing his powers and duties.

By Miller of Park: H. B. No. 291. A Bill for an Act to require Railroad and Express Companies doing business in the State of Montana to maintain telephones in its offices and to answer calls made over such telephone connections during business hours and to provide penalties for the violations of the provisions of this act.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were this day received:

By Brewster: A Bill for an Act entitled "An Act to amend Section 950 of the Civil Code, as amended by chapter XXIX of the Laws of 1905, approved February 1st, 1905.

By Scallon: A Bill for an Act entitled "An Act regarding the assessment of property and collection of taxes and proceedings before county Boards of Equalization, the duties of assessors in carrying out orders of the Board of Equalization, and providing for review of the District Court of proceedings of the County Boards of Equalization and also appeals to the Supreme Court, from District Court, and for the enforcement and carrying into effect of the orders or judgment of the Court."

By Marshall: A Bill for an Act providing for an additional Judge of the District Court in the Fourth Judicial District.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 11th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day taken from the general File and read first and second times: 278, 279, 280, 281, 283, 284, 285, 286, 287, 288, 289, 290 and 291.

Respectfully,

NATHAN GODFREY, Chief Clerk.

By unanimous consent the Rules were suspended and the following Bills were read a first and second times by title only:

H. B. No. 35: By Marshall. A Bill for an Act entitled "An Act to amend House Bill No. 143 of the Session Acts of the Seventh Legislative Assembly of the State of Montana, of the year 1901, being an Act entitled, 'An Act to amend Section 32, Title I, Part I, Chapter IV, of the Code of Civil Procedure, and to provide for an additional Judge of the Second Judicial District of the State of Montana, and to provide for an additional Judge for the Fourth Judicial District of the State of Montana.

Referred to Committee on Judiciary.

H. B. No. 39: By Wendel. A Bill for an Act entitled, "An Act authoriing City and Town Councils to provide for and regulate the inspection and measuring of gas and of electric light and power.

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 65: By Hyndman. A Bill for an Act entitled "An Act appropriating money for the erecting and equipping of additional buildings for the State Orphan's Home at Twin Bridges, Montana, and for the construction of a sewerage system in connection with the same."

Referred to Committee on Finance and Claims.

H. B. No. 129. By Cameron. A Bill for an Act entitled "An Act to amend Section 1840 of the Political Code of Montana as amended by an Act approved March 5, 1903, relating to the qualifications of teachers."

Referred to Committee on Education.

H. B. No. 165: By Seidler. A Bill for an Act to amend Article 11, Chapter VI, Part III, Title III, of the Political Code relating to the duties of the County Superintendent of Schools," adding a Section to be known as Section 1745, regarding the School Census, and providing penalties for the violation of the provisions thereof."

Referred to Committee on Education.

Following notices of introduction of Bills were given:

By Bielenberg: A Bill for an Act prohibiting the Exhibition of Moving Pictures wherein are exhibited the pictures of Burglaries, Train Robberies, or any other act which would constitute a felony.

By Muffly: A Bill for an Act to abolish the offices of State Game and Fish Wardens, and to impose the duties of such officers upon the Sheriff's and their Deputies in the several Counties of this State.

On motion of Long, Senate Bills Nos. 26 and 31 were withdrawn from the General File and re-referred to Committee on Public Lands.

On motion of White Senate resolved itself into Committee of the Whole to consider business on the General File, with

Haviland in the Chair.

Committee arose.

Senate resumed.

President in the Chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 12th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

S. B. No. 8 be amended in Section 1 by inserting in line seven after the

word "appropriator" the following "And used on such land as was originally intended or decreed",

And that as amended the Bill do pass.

That S. B. No. 27 do pass.

That S. B. No. 42 do pass.

HAVILAND, Chairman.

On motion of White report adopted and Bills referred to Committee on Engrossed Bills.

The following Bill was read a third time and passed by the following vote:

S. B. No. 1:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Donlan, Edwards, Glidden.—3.

Title agreed to.

Referring back to Sixth Order of Business, the following Bill was read a first and second times:

S. B. No. 87: By Haviland, by request: A Bill for an Act to encourage cultivation of Fish and providing for their ownership and sale.

Referred to Committee on Fish and Game.

Referring back to the ninth order of business the following notice of Bill was given:

By Miles: A Bill relating to the Fish and Game Warden, defining his powers and duties and relating to the licenses on game and fish.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

THIRTY-EIGHTH DAY

Helena, Montana, February 13th, 1907.

Senate convened at 10:30 A. M.

President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Rae and Sanders reported for roll call.

Senator Metcalf was excused from attendance on account of illness.

A petition from residents of Fergus County, Montana, in the vicinity of old Fort Maginnis, petitioning that a tract of land consisting of ten acres be set apart and dedicated as a public cemetery, and that the same be withdrawn from lease and sale by the State, was received, read, and placed on file.

Also, a petition from seventy residents of Billings, Montana, petitioning the Senate to take from the table at once McLean's Anti-gambling Bill No. 34, and to give it a favorable hearing and to make it a law, was received, read, and placed on file.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 8th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 12, being a Bill for an Act entitled, an Act to repeal an Act entitled 'An Act to provide for assistants for the office of Attorney General and fix the salaries thereof, approved March 9, 1901, and to provide for the appointment of two Assistants Attorneys General, and a stenographer for the Attorney General's Office, and to fix the salaries thereof," beg leave to report:

That they have duly considered said Bill and respectfully recommend that it be concurred in.

WHITE, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 13th, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bills No's. 60, 61, 62, 65, 74, 77, correctly printed.

SANDERS, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, February 8th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred House Bill No. 73, being a Bill for an Act entitled, an Act to provide for the filing of transcripts of Judgments from the Circuit and District Courts of the United States Ninth Circuit, District of Montana, with the District Court Clerk of any County in this State, and when so filed such judgment to become a lien upon all real property of the judgment debtor not exempt from execution in such County," beg leave to report.

That they have duly considered said Bill, and respectfully recommend that it be concurred in.

WHITE, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 13th, 1907.

Mr. President:

Your Committee on Public Buildings, having had under consideration H. B. No. 82, do hereby return the same with the recommendation that it be concurred in.

Respectfully submitted,

ANNIN, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 12th, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bills Nos. 8, 27 and 52, beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills referred to Calendar for Third Reading.

On motion of Long S. B. No. 27 was withdrawn from the Calendar for Third Reading and re-referred to General File.

On motion of Miles S. B. No. 8 was withdrawn from Calendar for Third Reading and re-referred to General File.

Senate Chamber, Helena, Montana, February 12th, 1907.

Mr. President:

Your Committee on Roads, Highways and Bridges have had Senate Bill No. 51 under consideration, and recommend the following amendments, viz:

In line 7 after the word "the" (Being the third word in said line) insert the following: "Approximate or true."

And in Line 8 after the word "road" insert "Provided, however, that not more than four guide boards shall be placed within any one unincorporated town or village of any County of this State.

COWGILL, Chairman.

On motion of Martien report adopted and Bill referred to Printing Committee.

The order made yesterday placing S. B. No. 63 on the General File was revoked and set aside, it appearing said Bill is still under consideration by Judiciary Committee.

House amendments to Senate Bill No. 6 was read and said amendments were on motion of Albright, concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Glidden, Harper, Haviland, Long, Martien, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Donlan, Fairbanks, Muffly, Metcalf.—4.

S. B. No. 6 referred to Committee on Enrolled Bills.

S. B. No. 32 having been returned from the House duly concurred in, the Bill was referred to Committee on Enrolled Bills.

The following communications from the House received and read:

House of Representatives, Helena, Montana, February 12, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were this day received:

By Harden: A Bill for an Act to amend Section 875 of the Political Code as amended by Senate Bill No. 75 of the Laws of 1897, relating to the salary of the Clerk of the Supreme Court and to increase the salary of the State Superintendent of Public Instruction.

By Cameron: A Bill for an Act amending Section 654 of the Political Code of the State of Montana relating to the sale of Poisons.

By Gray: A Bill for an Act to prohibit any candidate's name appearing more than once on any official ballot.

By Allen: A Bill for an Act entitled "An Act to submit to the qualified voters of the State of Montana, at the next general election an amendment to Section 13 Article XXII of the Constitution of Montana, relating to the safe-keeping and management of the public funds in the hands of the State Treasurer.

By Allen: A Bill for an Act entitled "An Act to amend Section 446 of Article 7, of Chapter 3 of the Political Code of Montana, relating to an increase in the salary of the State Treasurer.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 12, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced, and read first and second times:

By Scallon: H. B. No. 292. A Bill for an Act entitled "An Act regarding the assessment of property and collection of taxes, and proceedings before County Boards of Equalization the duties of assessors in carrying out the orders of the Board of Equalization and providing for appeals to the District Court from the County Boards of Equalization and also to the Supreme Court from the District Court, and for the enforcement and carrying into effect of the orders or judgments of the court."

By Allen: H. B. No. 293: A Bill for an Act entitled "An Act to amend Sections 8 and 12 of Chapter 51 of the Laws of 1905, relating to the practice of Osteopathy contrary to the law in the State of Montana, and providing penalty therefor, and defining what evidence shall be deemed sufficient to constitute the practice of Osteopathy."

By Duncan: H. B. No. 294. A Bill for an Act entitled "An Act relating to the confiscating by a Railroad or Railway Company or common carrier of any coal or other merchandise, and to provide penalties for the violations of the provisions of this Act."

By Greene: H. B. No. 295. A Bill for an Act entitled "An Act to prohibit the playing on Sunday, of Base Ball, foot-ball and cricket within a distance less than one mile within the limits of any town with three hundred population or more."

By Cameron: H. B. No. 296. A Bill for an Act to amend Section 494, 495, 496, 497, 498 and 499, of the Political Code of Montana, as Amended by Chapter C, Acts 1903, relating to the State Examiner's office and Fund."

By Cameron: H. B. No. 297. A Bill for an Act to amend Section IV of Chapter XXII, of the Laws of 1905, and for adding to said Act a Section to be numbered 6a, relating to Public Weighers, and Public Scales.

By Scallon: H. B. No. 298. A Bill for an Act embodying the law of sales of Goods and to make uniform the law relating thereto.

By Brewster: H. B. No. 299. A Bill for an Act entitled "An Act to amend Section 950 of the Civil Code, as amended by Chapter 29, of the Laws of 1905, Approved February 1, 1905.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 12, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following notices of Bills were this day received:

By Walker: A Bill for an Act entitled "An Act prescribing certain conditions to be complied with by all persons transacting business within the State of Montana under a ficticious name or designation, not showing the name or names of persons interested."

By Marshall: A Bill for an Act entitled "An Act to amend Section 2097 of the Penal Code of the State of Montana, relating to trials in criminal cases."

By Scallon: A Bill for an Act entitled "An Act regarding the organization, management, control and discipline of the Police departments of Cities and Towns, and providing for an examining and trial board in connection there-

with in cities of the First class; for the appointment of members of the department and relating to the compensation of members of the department, and to other matters connected therewith."

By Logan: A Bill for an Act to promote the propagation of Fish and Game and to provide for the appointment of County Game and Fish Commissioners.

By Brewster: A Bill for an Act to establish a State Livestock Sanitary Board, to provide for the appointment of special State Veterinary Surgeons; to define the duties and powers of said State Live Stock Sanitary Board and the duties and powers of the State Veterinary Surgeon and Deputy State Veterinary Surgeon with the State Livestock Sanitary Board; to provide for the eradication of disease in domestic animals, their quarantine and sanitary inspection; to amend Section 3016 of the Political Code relating to the Stock Indemnity Fund, and to provide penalties for the violation of this Act."

By Whiteside: A Bill for an Act to submit an amendment to Section 3, Article 12 of the Constitution relating to taxation, to the electors at the next General Election.

By Whiteside: A Bill to regulate the confiscation of coal belonging to shippers by common carriers.

By Whiteside: A Bill for an Act to provide a Fish ladder in the Kootenai River at Kootenai Falls, Montana.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 12, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second time.

By Greene: H. B. No. 300. A Bill for an Act entitled "An Act to prohibit Gun Clubs from the practice of competitive shooting on Sunday within a less distance than one mile of any town or village of Five Hundred people or more."

By Committee on Appropriations: H. B. No. 301. A Bill for an Act appropriating money for the payment of the claim of certain sheriffs of the State of Montana for expenses incurred in transporting prisoners to the penitentiary during the years 1905 and 1906."

By Marshall: H. B. No. 302. A Bill for an Act entitled "An Act to amend Section 2097 of the Penal Code of the State of Montana relating to trials in criminal cases."

By Allen: H. B. No. 303. A Bill for an Act entitled "An Act to amend Section 4642 and 4643 of the Political Code of the State of Montana relating to the fees allowed by the Board of County Commissioners to the Justices of the Peace and Constables in Criminal cases, and providing for a fee for the service of summons."

By Seidler: H. B. No. 304: A Bill for an Act to amend Section 670 of Chapter I, Title IV, of the Civil Code relating to Insurance Companies."

By Marshall: H. B. No. 305. A Bill for an Act entitled An Act to provide for an additional Judge of the Fourth Judicial District so that there will hereafter be two Judges in said District, one of whom shall keep his chambers at the Town of Hamilton, Ravalli County."

By Macauley: H. B. No. 306. A Bill for an Act entitled "An Act to provide for the appointment of a State Board of Voting Machine Commissioners, defining their duties and compensation and providing rules and regulations for the use of voting machines in all counties, cities, towns, and Districts of the State of Montana."

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 13th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 169, has been read a third time and passed by the House and herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

By unanimous consent rules were suspended and McDonnell, Rae, Haviland, and Martien were allowed to introduce Bills without previous notice.

The following Bills were read a first and second time:

S. B. No. 88: By Rae: A Bill for an Act entitled "An Act to withdraw certain lands in Fergus County from sale, lease or other disposition by the State, and to dedicate the same as a Public Cemetery.

Referred to Committee on Public Lands.

S. B. No. 89: By McDonnell. A Bill for an Act to require paddle wheels or screens to be placed in all ditches and canals for the protection of Fish.

Referred to Committee on Irrigation and Water Rights.

S. B. No. 90: By Bielenberg. A Bill for "An Act prohibiting the exhibition of moving pictures wherein are exhibited pictures of burglaries, train robberies or any other act which would constitute a felony."

Referred to Committee on Public Morals.

By unanimous consent rules were suspended and the following Bills were read a first and second times by title only.

S. B. No. 91, by Request. By Haviland. A Bill for an Act to require paddle wheels or screens to be placed in all ditches and canals for the protection of fish.

Referred to Committee on Irrigation and water rights.

S. B. No. 92: By Annin. A Bill for an Act entitled "An Act to create the County of Roosevelt, by designating and defining its boundaries, and to provide for its organization and government, and to apportion the indebtedness existing between said County of Roosevelt and the Counties of Carbon, Sweetgrass and Yellowstone.

Referred to Committee on Counties, Towns and Municipal Corporations.

Following Bill was read first and second time:

S. B. No. 93 by Martien: A Bill for an Act regulating the sale of electrical power in the State of Montana.

Referred to Committee on Corporations other than Municipal.

By unanimous consent rules were suspended and the following Bill was read a first and second time by title only:

H. B. No. 169: By Whiteside. A Bill for an Act entitled "An Act to amend Part III, Title VII of the Code of Civil Procedure by adding thereto Sections 2234 and 2235 relating to the taking of land for temporary banking grounds or for temporary logging roads; requiring that the length of time for

which such lands are taken, and the dates shall be fixed by the Commission or Court, and that after the expiration of such time the said lands shall revert to the party from whom the same were taken; requiring that any lessee of such lands be made party to any such action, and empowering the Court to apportion any compensation to be received, between the various parties in interest.

Referred to Committee on Roads, Highways and Bridges.

Following notices of introduction of Bills were given:

By Everett: A Bill for an Act to amend an Act to amend Sections 2956, 2957 and 2990, and to repeal Section 2958 of the Political Code as amended by Chapter L, Session Laws of the Eighth Session of the Legislature of the State of Montana, relating to the publication of the Estray List.

By Romney: A Bill for an Act authorizing Boards of County Commissioners to vacate parks, boulevards and other public grounds, in plats of unincorporated townsites upon petition of interested freeholders.

By Cowgill: A Bill providing that the Board of County Commissioners in each County may allow County officers a greater number of deputies than the maximum number allowed by law, when in the judgment of the Board of County Commissioners such greater number of deputies is needed for the proper conduct of the business of any County and fix the salary of such deputies, appointed in excess of the maximum allowed by law.

Everett moved that the Secretary of the Senate be instructed to employ two Stenographers to be assigned as follows: One to act as clerk to the Committee on Railroads and Transportation, Irrigation and Water Rights, and Live Stock and Grazing, the other as clerk to the Committee on Finance and Claims, Public Lands, and Counties, Towns and Municipal Corporations, and to do any other work for members of the Senate, when not employed on said Committees.

Motion carried and the Secretary instructed to employ two clerks as aforesaid.

On motion of Martien Senate resolved itself into Committee of the Whole with.

Everett in the Chair.

Committee arose.

Senate resumed.

President in the Chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 13th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

Senate Bill No. 55 be amended in Section 4 by striking out in line 28 the figures "30" and inserting in lieu thereof the figure "3", and that as amended the Bill do pass.

That S. B. No. 64 do pass.

That S. J. M. No. 1 do pass.

That S. B. No. 27 be amended by striking out all of Section 1, amend Section 2 by striking out in line 4 the figure "2" and inserting in lieu thereof the figure "1", and inserting after the word "any" where it first appears in line 4 the words "Indemnity School land or of any", also Section 3 by striking out in line 8 the figure "3" and inserting in lieu thereof the figure "2", and that as amended the Bill do pass.

That S. B. No. 8 be amended in Section 1 line 7 by striking out the word "owned", after "actually" and before "by", and the following after the word "appropriator" "and used on such land as was originally intended or decreed." By this amendment it strikes out all prior amendments leaving the Bill as printed, and as amended the Bill do pass.

That H. B. No. 12 be concurred in.

That H. B. No. 73 be concurred in.

That H. B. No. 82, be withdrawn from General File and re-referred to Committee on Public Buildings.

On motion of Everett report adopted and Senate Bills Nos. 55, 64, Senate Joint Resolution No. 1, and Senate Bills No. 27 and 8 referred to Committee on Engrossed Bills.

House Bills Nos. 12 and 73 referred to Calendar for third reading.

House Bill No. 32 re-referred to Committee on Public Buildings.

By unanimous consent rules were suspended and the following Bills considered read a third time at length, read by title only:

Senate Bill No. 42 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Everett, Fairbanks, Harper, Long, Martien, Miles, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott, White.—19.

Noes—None.

Absent and not voting: Donlan, Edwards, Glidden, Haviland, Metcalf, Muffly, McCarthy, Sanders.—8.

Title agreed to.

House Bill No. 12 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Harper, Long, Martien, Miles, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—21.

Noes—None.

Absent and not voting: Donlan, Glidden, Haviland, Metcalf, Muffly, McCarthy.—6.

Title agreed to.

H. B. No. 73 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Harper, Long, Martien, Miles, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—21.

Noes—None.

Absent and not voting: Donlan, Glidden, Haviland, Metcalf, Muffly, McCarthy.—6.

Title agreed to.

After giving notice the President signed House Bills Nos. 49, 95, 84, 67 and 79.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

THIRTY-NINTH DAY

Helena, Montana, February 14th, 1907.

Senate convened at 10:30 A. M.

President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Long and Tooley reported for roll call.

Standing Committees reported as follows:

Mr. President:

Senate Chamber, Helena, Montana, February 14th, 1907.

Your Committee on Printing beg leave to report Substitute for Senate Bill No. 68 correctly printed.

SANDERS, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred House Bill No. 16, being a Bill for an Act entitled "An Act to amend Section 448 of the Political Code of the State of Montana, relating to the publication of the State Treasurer's reports", beg leave to report:

That they have duly considered said Bill and respectfully recommend that it be not concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill not concurred in.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Public Morals, to whom was referred Senate Bill No. 90, a Bill for an Act prohibiting the exhibition of moving pictures wherein are exhibited the pictures of burglaries, train robberies or any other act which would constitute a felony have had the same under consideration and respectfully report the same back, with the recommendation that it do pass.

CARDWELL, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 45, being a Bill for an Act to provide for the taxation of mortgages, deeds of trust, contracts, and other obligations by which a debt is secured, and to create a lien for such taxes upon the property affected, beg leave to report:

That they have duly considered said Bill and respectfully recommend that it be indefinitely postponed.

WHITE, Chairman.

White moved the adoption of report.

Martien offered as a substitute motion that the Bill be referred to General File.

Substitute motion lost, and original motion prevailed.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill No. 81, being a Bill for an Act providing for the parole of prisoners confined in the State Prison, and authorizing the State Board of Prison Commissioners to grant paroles to such prisoners, subject to certain conditions and regulations to be provided for the said State Board", beg leave to report:

That they have duly considered said Bill and respectfully recommend that it do pass.

WHITE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Judiciary having had under consideration Senate Bill No. 83, being a Bill for an Act entitled "An Act for the submitting to the electors of the State of Montana, an amendment to Section 9, of Article XI of the Constitution of the State of Montana, relating to the rate of taxation for State purposes," beg leave to report and recommend that the same do pass.

WHITE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Education, to whom was referred House Bill No. 129, "An Act to amend Section 1840 of the Political Code of Montana, as amended by an Act approved March 5, 1903, relating to the qualifications of teachers", having had same under consideration unanimously recommend that it be concurred in with the following words stricken out in Paragraph 1 of Section 1840, ("or of the State University provided that such has taken Psychology and Method required in University Teacher's Course.")

Respectfully submitted,

TOOLEY, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill No. 39, being a Bill for an Act providing for the submission to the qualified electors of the State of Montana, of an amendment to Section 3, of Article XII of the Constitution relating to taxation of mines and Mining Claims, beg leave to report:

That they have duly considered said Bill, and respectfully recommend that it be printed.

WHITE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill No. 86, being a Bill for an Act to amend Section 1310 and 1311 of the Code of Civil

Procedure of the State of Montana, relating to parties to actions to quiet title, beg leave to report:

That they have duly considered said Bill and respectfully recommend that it be indefinitely postponed.

WHITE, Chairman.

On motion of Albright report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Education having had under consideration House Bill No. 165, "Regarding the School Census recommend that the same be concurred in.

Respectfully submitted,

TOOLEY, Chairman.

Report adopted and Bill referred to General File.

House of Representatives, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bills numbered 8, 27, and 64, and Senate Joint Memorial No. 1, beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills referred to Calendar for third reading.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 172, beg leave to report as follows:

That they have had the same under consideration and recommend that it be amended as follows:

That line 14 of printed Bill be stricken out; that the words "Four Thousand Five Hundred and Sixty-five Dollars and Thirty Cents ($4,565.30)", in lines 1 and 2 of printed Bill, be stricken out, and the words "Two Thousand Eight Hundred Fifteen Dollars and Thirty-seven Cents" be inserted in lieu thereof;

And that as amended the Bill be concurred in.

McCONE, Chairman.

On motion of Albright report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred Senate Bill numbered 82;

"An Act to prohibit the issuance of a license to any person, corporation or association for the conduct of a wholesale liquor dealers business in any town, city, camp or village having a population of less than one hundred", and recommend that the Bill be indefinitely postponed.

Respectfully submitted,

McCONE, Chairman.

On motion of McCone report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 102, introduced by Committee on Sanitary Affairs:

"An Act appropriating money for the payment of the expenses of Dr. H. J. Ricketts, when investigating the cause and cure of spotted fever", recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 154:

"An Act appropriating money for the payment of deficiency claims of certain persons for services rendered and material furnished the State Veterinarian", recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 173:

"An Act appropriating money for the payment of deficiency claims in connection with the State Veterinarian's Office for clerical hire", recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 126,

"An Act appropriating money for the payment of deficiency claims account of State Fish and Game Warden", recommend that the same be concurred in."

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 127:

"An Act making appropriation for the State Institutions of Montana for the three months ending February 28th, 1907", recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 133:

A Bill for an Act entitled, "An Act providing for the payment of deficiency claims of certain State Offices, having had the same under consideration respectfully recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 130, beg leave to report as follows:

That they have had the same under consideration and recommend that it be amended as follows:

In line 23 of the printed Bill after the word "Hundred" insert "And fifty."

In line 24 of printed Bill after words "Attorney General" insert the word "Five" in lieu of the word "Four" and after the word "and" insert the word "ten" in lieu of the word "Fifty".

In line 26 of the printed Bill after the words "Three hundred" insert the words "and fifty."

In line 27 of the printed Bill after the words "Attorney General" insert the word "Three" in lieu of the word "One" and in line 28 after word "and" insert the word "fifty" in lieu of the word "Fifteen".

In line 113 of the printed Bill after the word "Thousand" insert the word "Three" in lieu of the word "One" and after the word "and" insert the words "secenty-five" in lieu of the words "Twenty-five".

And that as amended the Bill be concurred in.

McCONE, Chairman.

On motion of Albright report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 98, being a Bill for an Act entitled, "An Act to regulate the sale, use and redemption of transportation tickets of common carriers, providing penalties for the violation thereof, and repealing Section 982 of Chapter IV, Title VIII, Part IV, of Division I, of the Civil Code of Montana," beg leave to report:

That they have duly considered said Bill, and respectfully recommend that it be not concurred in.

WHITE, Chairman.

On motion of White report adopted.

The House having concurred in Senate Bill No. 17 the same was referred to Committee on Engrossed Bills.

The following communications from the House were received and read:

House of Representatives, Helena, Montana, February 13th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following notices of Bills were this day received:

By Cameron: A Bill for an Act to amend Section 4044 of the Political

Code of Montana, as amended by Chapter XCII, Laws of 1903, relating to Licenses.

By Gray: A Bill for an Act to amend Section 1763 of Civil Procedure, relating to appeals to the District Court.

By Gray: A Bill for an Act to empower County Commissioners to appoint a suitable person to investigate property not on tax list.

By Weed: A Bill for an Act entitled "An Act appropriating money for the payment of the claim of Powell County against the State of Montana on account of money expended in prosecuting an inmate of the State Prison.

By Marshall: A Bill for an Act entitled "An Act to establish a board of Fire Insurance Commissioners for the State of Montana; to define their powers and duties in the matter of adjusting and regulating rates, charges and premiums of insurance upon property by fire insurance, corporations and companies; and to provide remedies for the enforcement of this Act, and penalties for the violation thereof."

By Towers: A Bill for an Act to amend Sections one and three of the Seventh Legislative Assembly, entitled an Act relative to the powers and duties of Justices of the Peace, and fixing their compensation in certain townships."

By Cummings: A Bill for an Act entitled "An Act regulating the payment of expenses of state and county officers; defining offences in relation thereto, and prescribing punishment for such offences.

By Scallon: A Bill for an Act relating to the valuation of the property of railroads for all purposes of rate regulations, by the Board of Railroad Commissioners or reports, and providing rules of evidence in relation to the same.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bill No. 17 having been read a third time and concurred in by the House is herewith returned.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 13th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second time:

By Shaw: H. B. No. 307. A Bill for an Act entitled "An Act appropriating the sum of Five Thousand Dollars or so much thereof as may be necessary for the installation of a power plant in connection with the State Capitol Building for the generation of electricity to supply the State Capitol Building."

By Scallon: H. B. No. 308. A Bill for an Act entitled "An Act providing for the Initiative and Referendum in Cities and Towns."

By Scallon: H. B. No. 309. An Act regarding the organization, management, control and discipline of Police Department of Cities and Towns, and providing for an examining and trial board in connection therewith in cities of the first class; for appointment of members of the department, and relating to compensation of members of the department, and to other matters connected therewith."

By Walker: H. B. No. 310. A Bill for an Act entitled "An Act prescribing certain conditions to be complied with by all persons transacting business within the State of Montana under a fictitious name or designation, not showing the name or names of persons interested."

By Whiteside: H. B. No. 311. A Bill fo ran Act entitled "An Act to provide additional revenue for State purposes, and to assess certain corporations of their gross earnings therefor."

By Cameron: H. B. No. 312. A Bill for an Act to amend Section 654 of the Political Code of the State of Montana relating to the sale of poisons.

By Barbour: H. B. No. 313. A Bill for an Act to amend Section 607 of the Political Code of the State of Montana, relating to the fees of candidates for examination for license to practice medicine and surgery in the State of Montana, and application thereof.

By Harden: H. B. No. 214. A Bill for an Act to amend Section 875 of the Political Code as amended by Senate Bill No. 75 of the Laws of 1897, relating to the salary of the Clerk of the Supreme Court, and to increase the salary of the Superintendent of Public Instruction.

By Whiteside: H. B. No. 315. A Bill for an Act entitled "An Act to regulate the confiscation of coal by railroads and common carriers and providing penalties for the violations of this Act."

By Whiteside: H. B. No. 316. A Bill for an Act entitled "An Act requiring Corporations doing business in the State of Montana to pay an annual license fee."

By Whiteside: H. B. No. 317. A Bill for an Act entitled "An Act to construct a fish ladder in the Kootenai River at Kootenai Falls, Montana and appropriating money therefor.

By Judiciary Committee: H. B. No. 318: A Bill for an Act concerning Boards, Recognizance, and written undertakings entered into or taken by an officer.

By Judiciary Committee: H. B. No. 319. A Bill for an Act concerning the jurisdiction of District Courts, and to amend Section 39 of the Code of Civil Procedure in the State of Montana.

House Joint Memorial No. 7: By Gray. Relating to the policy of the government concerning entrymen on the Public Lands.

House Concurrent Resolution No. 6: By Whiteside, by Request: Relating to investigation Library Extension work carried on by the Montana State Federation of Women's Clubs.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 13th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Committee on Appropriations: H. B. No. 320. A Bill for an Act appropriating money for the payment of deficiency claim of Rocky Mountain Bell Telephone Company account of Fish and Game Fund.

By Committee on Appropriations: H. B. No. 321. A Bill for an Act appropriating money for the payment of deficiency claims of Rocky Mountain Bell Telephone Company.

By Committee on Appropriations: H. B. No. 322. A Bill for an Act ap-

propriating money for the payment of claim of J. M. Lewis for services and expenses incurred.

By Committee on Appropriations: H. B. No. 323. A Bill for an Act appropriating money for the payment of deficiency claim account requisitions.

By Committee on Livestock and Ranges: H. B. No. 324. A Bill for an Act to establish a State Live Stock Sanitary Board; to provide for the appointment of Special Deputy State Veterinary Surgeon; to define the duties and powers of the State Veterinary Surgeon and deputys Veterinary Surgeon of the State Live Stock Sanitary Board, to provide for the eradication of disease in domestic animals, their quarantine and sanitary inspection; to amend Section 3016 of the Political Code relating to the Stock Indemnity Fund and to provide penalties for the violation of this Act.

By Bennett: H. B. No. 325. A Bill for an Act entitled, "An Act regulating the sale and providing for the inspection of oils used in illuminating and heating purposes, and in automobiles, establishing a standard test therefor and prescribing penalties.

By Burke: H. B. No. 326. A Bill for an Act entitled, "An Act to amend Chapter 96 of the Acts of 1903, providing for the establishment of the Montana State Fair, for the appointment of a Board of Directors, Executive Officers, and for the conduct and management thereof."

Respectfully,

NATHAN GODFREY, Chief Clerk

House of Representatives, Helena, Montana, February 13th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that notices of the following Bills were this day received:

By Burke: A Bill for an Act entitled "An Act to amend Chapter 96 of the Acts of 1903 providing for the establishment of the Montana State Fair for the appointment of a Board of Directors and Executive Officers and for the conduct and management thereof.

By McDonald: A Bill for an Act to amend Section 4756 of the Political Code relating to Officers of Election, places of voting and election districts, and election matters in Municipal Corporations.

By Hyndman: A Bill for an Act creating a Railroad and Warehouse Commission.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 161, 206 and 207, having been read a third time and passed by the House are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 13th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Substitute for House Bill Nos. 47 and H. B. 148 have been read a third time and

passed by the House and herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 13th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bills Nos. 11, 13 amended, and 16 have been read a third time and concurred in by the House and are herewith returned to your Honorable Body.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 13th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Judiciary Committee to whom Senate Bill No. 19 was referred recommend that the Bill be not concurred in and is herewith returned.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bills Nos. 7, 28 and 30 have been read a third time and concurred in as amended by the House and are herewith returned.

Respectfully,

NATHAN GODFREY, Chief Clerk.

S. B. No. 11 referred to Committee on Enrolled Bills.

House amendments to S. B. No. 13 were read, and said amendments were on motion of McCarthy concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: McDonnell.—1.

S. B. No. 13 referred to Committee on Enrolled Bills.

House amendments to S. B. No. 28 were read, and said amendments on motion of Rae were concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—27.

Noes—None.

Absent and not voting: None.

S. B. No. 28 referred to Committee on Enrolled Bills.

S. B. No. 16 referred to Committee on Enrolled Bills.

House amendments to S. B. No. 30 were read, and said amendments were on motion of Long concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly,

McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott.—25.

Noes—None.

Absent and not voting: Albright, White.—2.

S. B. No. 30 referred to Committee on Enrolled Bills.

By unanimous consent rules were suspended and McLean and McCone were allowed to introduce Bills without giving previous notice.

Following Bills were read a first and second time:

S. B. No. 94: By McLean. A Bill for an Act validating the Acts of Boards of County Commissioners in establishing and locating County Free High Schools, and of Boards of County Free High Schools Trustees, in issuing bonds for the erection of High School Buildings.

Referred to Committee on Counties, Towns and Municipal Corporations.

S. B. No. 95: By Martien. A Bill for an Act concerning the State Treasurer's Bond, to provide for his salary and compensation prohibiting him from making profit for himself or other persons from the use of the public moneys of the State, prohibiting others from paying or giving any such profit; prohibiting the use of any such moneys for any purpose not authorized by law, and making any such prohibited act a felony.

Referred to Committee on Judiciary.

S. B. No. 96: By Romney. A Bill for an Act authorizing Boards of County Commissioners to vacate parks, boulevards and other public grounds, in plats of unincorporated townsites upon petition of interested freeholders.

Referred to Committee on Counties, Towns and Municipal Corporations.

S. B. No. 97: By Everett, by Request. A Bill for an Act entitled, "An Act to amend Section 2956, 2957 and 2990 and to repeal Section 2958 of the Political Code as amended by an Act of the Legislature of the State of Montana, approved March 3, 1903, Chapter L, Eighth Session Laws."

Referred to Committee on Stockgrowing and Grazing.

S. B. No. 98: By Cowgill. A Bill for an Act entitled, "An Act authorizing the Board of County Commissioners in each County to allow County Officers a greater number of deputies than the maximum number of deputies allowed by law, when in the judgment of the Board of County Commissioners such greater number of deputies is needed for the proper conduct of the business of any County Office, and to fix the salary of such deputies appointed in excess of the maximum allowed by law.

Referred to Committee on Counties, Towns and Municipal Corporations.

S. B. No. 99: By McCone. A Bill for an Act enittled, "An Act to amend Chapter 96 of the Acts of 1903, providing for the establishment of the Montana State Fair for the appointment of a Board of Directors, Executive Officers, and for the conduct and management thereof.

Referred to Committee on Public Buildings.

On motion of White the Printing Committee was instructed to have printed one hundred extra copies of Senate Bill No. 63.

On motion of Rae the Committee on Enrolled Bills was authorized to engage Miss Nettie Kirkendall as Clerk.

H. B. No. 161: By O'Connor. A Bill for an Act entitled, An Act to amend Section 66 of the Code of Civil Procedure of the State of Montana respecting the Civil Jurisdiction of Justices of the Peace.

Referred to Committee on Judiciary.

H. B. No. 206: By Committee on Appropriations. A Bill for an Act entitled "An Act appropriating money for the payment of deficiency claims in maintenance of the Capitol Building.

Referred to Committee on Finance and Claims.

H. B. No. 207: By Committee on Appropriations. A Bill for an Act entitled, "An Act appropriating money for the payment of deficiency claims account of Supreme Court.

Referred to Committee on Finance and Claims.

Substitute for House Bill No. 47, Introduced on behalf of C. B. Miller, by the Judiciary Committee: A Bill for an Act entitled, "An Act prohibiting any State Officer, State Board of Trustees, State Managers or Commissioners from contracting any liability or indebtedness for any purpose whatever, in excess of the amount appropriated for the office, institution or commission or organization under his or their control or management without the previous authority of the State Board of Examiners.

Referred to Committee on Finance and Claims.

By unanimous consent rules were suspended and the following Bill read a first and second time by title only:

H. B. No. 148: By Committee on Sanitary Affairs. A Bill for an Act entitled, "An Act to establish a State Bureau of Vital Statistics, placing the same under the supervision of the Secretary of the State Board of Health and describing the duties of the State Board of Health, and the duties of subordinate officers of the State Board of Health relative thereto, and fully providing for the registration of births and deaths and other statistical matter relative to sanitary affairs, and providing for sub-registrars, and providing for the payment therefor."

On motion of White, Bill referred to Committee on Counties, Towns and Municipal Corporations.

Following notice was received and read:

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

I hereby give notice that on tomorrow or some subsequent day, I will move to amend Rule XX, of the Standing Rules of the Senate so as to provide that the Committee on Railroads and Transportation shall consist of nine instead of Five members. Said proposed amendment shall read as follows:

"27. Railroads and transportation to consist of nine (9) members."

EDWARDS.

Recessed until 1:30 P. M.

Senate re-convened at 1:30.

President in the Chair.

Roll called. Quorum present.

Muffly granted leave of absence today and tomorrow on account of illness.

Referring back to second order of business Committee on enrolled Bills reported as follows:

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Enrolled Bills reports Senate Bills No. 32 and 6 correctly enrolled. Respectfully submitted,

RAE, Chairman.

After giving notice President signed Senate Bills Nos. 32 and 6.

On motion of Donlan Senate resolved itself into Committee of the Whole to consider Bills on the General File with,

Glidden in the Chair.

Committee arose.

Senate resumed.

President in the Chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend:

That S. B. No. 60 be amended in Section 15 by inserting commas after each of the following words and syllables: Place, in line 172; magistrate, in line 173; peace, in line 176; "istrate", in line 177; by striking out in line 172 the words "on information or"; amend Section 10 by striking out in line 132 the small "i" in the word "in" after the period, and insert in lieu thereof a capital I; also by striking out in line 132 the comma after the word "court", and inserting in lieu thereof a period; amend Section 7 by striking out in line 102 the small "w" in the word "when" after the period following the word "purpose" and inserting in lieu thereof a capital "W"; amend Section 7 by striking out in line 101 the capital "T" in the word "The" after the word "court" and inserting in lieu thereof a small "t"; amend Section 7 by striking out in line 101 the period after the word "court" and inserting in lieu thereof a comma, also, by striking out in line 102 after the word "purpose" the comma, and inserting in lieu thereof a period. Also, by striking out in line 78 the word "such", and inserting in lieu thereof the word "subject"; amend Section 4 by inserting in line 47 after the words "parents or" the words "upon the" and in line 57 after the word "proceedings" a comma; also, inserting in line 47 a comma after the word "parent"; also, after the word "guardian". Amend Section 2 by striking out in line 11 the semi-colon after the word "act" and inserting in lieu thereof a period, and by changing the small "i" after the said period to a capital "I", and that as amended the Bill do pass.

That S. B. No. 61 be amended in Section 17 by striking out in line 246 the words "within the said County". Amend Section 14 by inserting in line 218 after the word "may" the words "in the discretion of the Court" with a comma after the word "court"; also inserting in line 212 the word "act" after the words "of Section 13 of this". Amend Section 13 by striking out in lines 209 and 210 the sentence "The district Court of the several Counties of this State shall have jurisdiction in all cases rising under the provisions of this act". Amend Section 10 by striking out in line 161 the words "an information or". Amend Section 5 by striking out in line 76 the semicolon after the second syllable of the "appear" and inserting in lieu thereof a comma; also by striking out in line 74 the word "and". Amend Section 3 by inserting in line 43 a comma after the word "blanks" also a comma after the word "bureau" in said line. Amend Section 1 by striking out in line 7 the comma after the word "illfame", in line 13 after the word "time" in line 16 the comma after the word "trains", in line 18 the comma after the word "language" and inserting in lieu thereof a semicolon in each place, and that as amended the Bill do pass.

That S. B. No. 62 do pass.

That S. B. No. 65 do pass.

That S. B. No. 74 be withdrawn from General File, and re-referred to Committee on Judiciary.

That S. B. No. 77 do pass.

That H. B. No. 129 be concurred in.

That H. B. No. 165 be concurred in.

That H. B. No. 172 be concurred in.

That H. B. No. 102 be concurred in.

That H. B. No. 154 be concurred in.

That H. B. No. 173 be concurred in.

That H. B. No. 126 be concurred in.

That H. B. No. 127 be concurred in.

That H. B. No. 133 be concurred in.

That H. B. No. 130 be concurred in.

GLIDDEN, Chairman.

On motion of Tooley report adopted and Senate Bills Nos. 60, 61, 62, 65, referred to Committee on Engrossed Bills.

Senate Bill No. 74 re-referred to Judiciary Committee.

Senate Bill No. 77 referred to Committee on Engrossed Bills.

House Bills Nos. 129, 165, 172, 102, 154, 173, 126, 127, 133 and 130 referred to calendar for third reading.

In accordance with motion in Senate yesterday the Secretary of the Senate has appointed Miss Minnie Bowers, as clerk to the following committees:

Railroads and Transportation, Irrigation and Water Rights, Live Stock and Grazing.

House amendments to Senate Bill No. 7 were read, and said amendments were on motion of White concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Muffly, McDonnell.—2.

Senate Bill No. 7 referred to Committee on Enrolled Bills.

By unanimous consent rules were suspended and the following Bills were considered read a third time at length, read by title only:

S. B. No. 8 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McLean, Rae, Romney, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Muffly, McDonnell, Sanders.—3.

Title agreed to.

Senate Bill No. 27 passed by the following vote:

Ayes: Albright, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Annin, Muffly, Sanders.—3.

Title agreed to.

S. B. No. 64 passed by the following vote:

Ayes: Albright, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott, White. —24.

Noes—None.

Absent and not voting: Annin, Muffly, Sanders.—3.

Title agreed to.

Senate Bill No. 64 reads as follows:

S. B. No. 64: By Martien. "A Bill for an Act to provide for the submission to the qualified electors of the State of Montana a proposition to amend Section XIII, of Article XII of the Constitution of the State of Montana, relating to the Public Funds in the hands of the State Treasurer.

Be it Enacted by the Legislative Assembly of the State of Montana:

Section 1. There shall be submitted to the qualified electors of the State of Montana at the next general election to be held in said State, a proposition to amend Section XIII of Article XII of the Constitution of the State of Montana, so as to read as follows:

Section XIII. The State Treasurer shall keep a separate account of each fund in his hands, and shall, at the end of each quarter of the fiscal year, report to the Governor in writing, under oath, the amount of all moneys in his hands to the credit of every such fund, and the place or places where the same is kept or deposited, and the number and amount of every warrant paid, or redeemed by him during the quarter. The Governor, or other person or persons authorized by law, shall verify said report and cause the same to be immediately published in, at least, one newspaper printed at the seat of Government, and otherwise as the Legislative Assembly may require. The Legislative Assembly may provide, by law, further regulations for the safe keeping and management of the public funds in the hands of the Treasurer.

Section 2. The votes upon this amendment shall be counted and canvassed by such officials and in such manner as is provided by law for the counting and canvassing of the votes for a member of Congress, and, if a majority of the votes cast at said election for and against said amendment shall be in favor of the amendment, the Governor of the State shall immediately so declare by public proclamation, and said Section as amended, shall be in full force and effect as a part of the Constitution of the said State of Montana, from and after the date of said proclamation, instead of, and in lieu of Section XIII of the said Article XII as the same now reads.

Section 3. The ballots by which the amendment to the Constitution of the State of Montana, herein provided for, is to be submitted to the electors of the State, shall be separate from the general ballot used at the general election at which said amendment is submitted; shall be furnished in the same manner, and shall have printed thereon the following words; in such manner as to allow every elector an opportunity to indicate thereon, by proper mark, his preference, to-wit:

"For the amendment to the Constitution, relating to the public funds in the hands of the State Treasurer," and "Against the amendment of the Constitution, relating to the public funds in the hands of the State Treasurer."

Section 4. This Act shall be in full force and effect from and after its final passage."

S. J. M. No. 1, passed by the following vote:

Ayes: Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Albright, Annin, Haviland, Muffly.—4.

Title agreed to.

H. B. No. 129 concurred in by the following vote:

Ayes: Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—22.

Noes—None.

Absent and not voting: Albright, Annin, Everett, Haviland, Muffly.—5.

Title agreed to.

H. B. No. 165 concurred in by the following vote:

Ayes: Albright, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Annin, Muffly.—2.

Title agreed to.

H. B. No. 172 concurred in by the following vote:

Ayes: Albright, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Annin, Cardwell, Harper, Muffly.—4.

Title agreed to.

H. B. No. 102 concurred in by the following vote:

Ayes: Albright, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, White.—23.

Noes—None.

Absent and not voting: Annin, Harper, Muffly, Truscott.—4.

Title agreed to.

H. B. No. 154 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Long, Martien, Metcalf, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, White.—21.

Noes—None.

Absent and not voting: Edwards, Harper, Haviland, Miles, Muffly, Truscott.—6.

Title agreed to.

H. B. No. 173 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, White.—22.

Noes—None.

Absent and not voting: Edwards, Harper, Haviland, Muffly, Truscott.—5.

Title agreed to.

H. B. No. 126 concurred in by the following vote:

Ayes: Albright, Annin Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, White.—24.

Noes—None.

Absent and not voting: Harper, Muffly, Truscott.—3.

Title agreed to.

H. B. No. 127 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, White.—24.

Noes—None.

Absent and not voting: Harper, Muffly, Truscott.—3.

Title agreed to.

H. B. No. 130 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, White.—23.

Noes—None.

Absent and not voting: Harper, Muffly, Sanders, Truscott.—4.

Title agreed to.

H. B. No. 133 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, White.—24.

Noes—None.

Absent and not voting: Harper, Muffly, Truscott.—3.

Title agreed to.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

FORTIETH DAY

Helena, Montana, February 15th, 1907.

Senate convened at 10:30 A. M.

President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

After giving notice President signed House Bill No. 12 and House Bill No. 73.

Glidden reported for roll call.

A communication from T. D. Harris of Butte, advising that Ten thousand men in the City of Butte are anxiously waiting the passage of the anti-poolroom Bill, was received, read and placed on file.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 15th, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bills No. 53, 66, 73, 78 and 84 correctly printed.

SANDERS, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, February 15th, 1907.

Mr. President:

Your Committee on Privileges and Elections to whom was referred Senate Bill numbered 70 beg leave to report as follows:

That they have had the Bill under consideration, and respectfully recommend that the same be indefinitely postponed.

FAIRBANKS, Chairman.

On motion of White report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bill numbered 35, beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for third reading.

Senate Chamber, Helena, Montana, February 15th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 77, beg leave to report as follows:

That the same has been correctly engrossed.

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for third reading.

Senate Chamber, Helena, Montana, February 15th, 1907.

Mr. President:

Your Committee on Counties and Towns, to whom was referred Senate Bills Nos. 94, 96, and 98, beg leave to report as follows that we had the same under consideration and recommend that the same do pass.

DONLAN, Chairman.

Report adopted and Bills referred to Printing Committee.

Senate Chamber, Helena, Montana, February 15th, 1907.

Mr. President:

Your Committee on Counties and Towns, to whom was referred House Bill numbered 22 beg leave to report as follows:

We have had the same under consideration, we have amended Section 1 by striking out the word "paid" after the word "established", and recommend that the Bill be concurred in as amended.

Respectfully submitted,

DONLAN, Chairman.

On motion of Albright report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 15th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred House Bills Nos. 104 and 148 beg leave to report as follows:

We have had the same under consideration and recommend that the same be concurred in.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 15th, 1907.

Mr. President:

Your Committee on Public Buildings having had under consideration Senate Bill No. 99, do recommend that the words and figures twenty-five hundred dollars ($2500.00) in Section 1 be stricken out and the words and figures twelve hundred dollars ($1200) be substituted in lieu thereof, and that as amended the Bill do pass. ANNIN, Chairman.

On motion of Annin report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 15th, 1907.

Mr. President:

Your Committee on Public Buildings having had under consideration House Bill No. 82 do recommend that the title be amended by adding after the word "inn-keepers" the words "and the better protection of the guests from fire."

Also strike out the word "guests" in line 6, Section 1, and in line 34, Section II. Strike out the word "or" after the word "hotel" in lines 3, 6 and 15, in Section 1, and in lines 24, 29, and 55 in Section II and add after the word "inn" in each of the above mentioned lines the words "or lodging house." Strike out the word "guests" in line 14 Section I and line 29 of Section II and substitute in lieu thereof the word "lodging." Strike out the word "ans" in Section II line 39 and insert after the word "inns" in said line the following: "and lodging houses" and as above amended the Bill be concurred in.

ANNIN, Chairman.

On motion of Annin report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 15th, 1907.

Mr. President:

Your Committee on Stock Growing and Grazing to whom was referred Senate Bill No. 85 beg leave to report as follows:

That they have had the same under consideration, and recommend that it do pass.

Respectfully,

BIELENBERG, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 14th, 1907.

Mr. President:

Your Committee on Stock Growing and Grazing to whom was referred Senate Bill numbered 69 beg leave to report as follows:

That they have had the same under consideration and recommend that it do pass. Respectfully,

BIELENBERG, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 15th, 1907.

Mr. President:

Your Committee on Enrolled Bills reports Senate Bill No. 11 and Senate Bill No. 16 as correctly enrolled.

Respectfully submitted,

RAE, Chairman.

After giving notice President signed Senate Bill No. 16 and Senate Bill No. 11.

Senate Chamber, Helena, Montana, February 15th, 1907.

Mr. President:

Your Select Committee appointed to name the committees of the Senate, report and recommend as members of the Steering Committee the following members:

Donlan, McLean, Albright, Tooley, Haviland.

Respectfully,

McCONE, Chairman.

McCone moved the adoption of the above report.

Long offered as a substitute motion the name of McCarthy be inserted in lieu of McLean.

Substitute motion carried and the name of McCarthy inserted in lieu of McLean.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, February 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Notices of Bills were this day received:

By Morris: A Bill for an Act to provide for license of peddlers and canvassers for Agricultural Implements, and other Articles, and to repeal Chapter 56 of the Laws of 1903.

By Brownlee: A Bill for an Act entitled "An Act to provide for the gathering and sale of unknown Estrays upon the public Domain."

By Seidler. A Bill to provide for the Publication of Legislative Enactments.

By Boorman: A Bill permitting Fish to be taken from St. Marys Lake with a net or seine and authorizing the sale of the fish in the markets of the United States.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Notices of Bills were this day received:

By Marshall: A Bill for an Act entitled "An Act regarding Poolrooms, pool-selling and registering of bets, and to punish the keeping of poolrooms, book making and pool selling, and recording of bets by unlicensed persons, to provide for the issuance of license therefor, and to dispose of the funds arising from such licenses, and to provide for all civil and criminal liabilities and penalties for the violation of its provisions and civil actions for the recovery of money lost on any pool or bet sold or registered contrary to this Act and re-

pealing and prohibiting ordinances on the subject and repealing Acts in conflict herewith.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Speaker has this day appointed the following Steering Committee: Miller of Park, Allen, Corby, Potter and Swindlehurst.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 74, 164, 182, 232, and 249 and Substitute for House Bill No. 19 and 44 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 145, 167, 234, 217, 210, 237, and 235, have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Notices of Bills were this day received:

By Shaw: A Bill providing for the compilation of the Taxation Laws.

By Shaw: A Bill for an Act appropriating money for the construction of a brick sidewalk in the capitol grounds.

By Gray: A Bill for an Act to amend Section 4642 of the Political Code relating to Justice Fees.

By Campbell: A Bill for an Act making appropriations to pay the salaries of meat and milk Inspectors for the State of Montana for the years 1907 and 1908, and appropriating One Thousand Dollars for 1907 and One Thousand Dollars for 1908 for the payment of actual expenses incurred by the Meat and Milk Inspection Commission.

By Allen: A Bill for an Act entitled "An Act to prevent the removal or interference with dead human bodies when death has been caused or there are reasons to believe death has been caused by violence or unnatural causes, without first notifying the coroner.

By Marshall: A Bill for an Act to create a Commission to regulate, control and supervise "A State Bank Deposit Insurance Fund", to provide for the same; to control its investments and disbursements, and to control the receivers of insolvent State Banks.

By Cameron: A Bill for an Act to amend Section 3491 and 3496 of Part

III, Title X, Chapter IX of the Political Code of the State of Montana, relating to the collection and cancellation of taxes on certain personal porperty, to provide for the appointment of the sheriff or assessor, as a special Deputy Treasurer to collect such taxes, and capitation taxes, and to provide compensation for such deputy.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 14th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Logan, by Request: H. B. No. 327. A Bill for an Act entitled "An Act to promote the propagation of Fish and Game, and to provide for the appointment of County Game and Fish Commissioners.

By Scallon: H. B. No. 328. A Bill for an Act relating to the valuation of the property of Railroads, for all purposes of rate regulation by the Board of Railroad Commissioners, or the courts, and providing rules of evidence, relating to the same.

By Irrigation Committee: H. B. No. 329: A Bill for an Act entitled "An Act to regulate the appropriation of water in streams in which the rights therein have been adjudicated.

By Marshall: H. B. No. 330. A Bill for an Act entitled, "An Act to establish a Board of Fire Insurance Commissioners for the State of Montana; to define their powers and duties in the matter of adjusting and regulating rates, charges and premiums of insurance upon property by fire insurance corporations and companies, and to provide remedies for the enforcement of this Act and penalties for the violation thereof.

By Blake: H. B. No. 331. A Bill for an Act entitled, "An Act to regulate the practice of barbering in the State of Montana, and to establish a State Board of Barber Examiners and to provide for sanitary inspection of Barber Shops.

By Towers: H. B. No. 332. A Bill for an Act to amend Sections one and three of an Act of the Seventh Legislative Assembly entitled, "An Act relative to the powers and duties of Justices of the Peace and fixing their compensation in certain townships.

By Cameron: H. B. No. 333. A Bill for an Act to amend Section 4044 of the Political Code of Montana as amended by Chapter XCII of the Laws of 1903 relating to Licenses.

By Gray: H. B. No. 334. A Bill for an Act entitled, "An Act to provide for the division of the various counties into districts, to be known as Commissioner's Districts.

By Gray, by Request: H. B. No. 335. A Bill for an Act entitled, An Act to amend Section 1763 of Chapter II, Title XIII, Part II, of the Code of Civil Procedure of the State of Montana, relating to appeals to the District Courts".

By Weed, by Request: H. B. No. 336. A Bill for an Act entitled, "An Act appropriating money for the payment of the claim of Powell County against the State of Montana on account of money expended in prosecuting an inmate of the State Prison".

By McDonald: H. B. No. 337: A Bill for an Act to amend Section 4756

of the Political Code relating to offices of election, places of voting and election districts, and election matters in Municipal Corporations.

By Cummings, by Request: H. B. No. 33. A Bill for an Act entitled, "An Act regulating the payment of expenses of State and County Officers, defining offenses and prescribing punishment for such offenses."

By Morgan: H. B. No. 339. A Bill for an Act limiting the liabilities of incorporated Cities and Towns for personal injuries on sidewalks and streets.

NATHAN GODFREY, Chief Clerk.

By unanimous consent rules were suspended and the following Bills were read a first and second time by title only:

H. B. No. 74: By Tudor. A Bill for an Act entitled, "An Act to authorize the erection and equipment of a building at the Montana Agricultural College and Experiment Station at Bozeman, for the use of the Departments of Agriculture, Horticulture, Animal Husbandry, Veterinary and Domestic Science, and making an appropriation therefor.

Referred to Committee on Public Buildings.

H. B. No. 164: By Miller of Park. A Bill for an Act entitled, "An Act to amend Section 842 of the Penal Code of the State of Montana.

Referred to Committee on Judiciary.

H. B. No. 182: By Committee on Sanitary Affairs. An Act entitled, "An Act to establish a State Board of Health, Subordinate County, City and Town Boards of Health, defining the powers and duties of each, providing for the compensation of the officers and members of each, providing for the enforcement of the rules and regulations and laws relating to said Board, and to repeal an Act entitled, 'An Act creating a State Board of Health, defining its powers and duties and providing for the compensation of its officers, and providing for the enforcement of the rules and regulations of said Board,' Approved March 15, 1901".

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 332: By Judiciary Committee. A Bill for an Act entitled, "An Act to amend Section 1080 of the Code of Civil Procedure of Montana and repeal an Act approved February 15th, 1901, relating to method of procedure in the trial of Civil Actions and review of the Supreme Court of Errors in Instructions."

Referred to Committee on Judiciary.

H. B. No. 249: By Weed. A Bill for an Act entitled, "An Act to authorize and empower foreign corporations to exercise the right of Eminent Domain in Montana."

Referred to Committee on Corporations other than Municipal.

Substitute for H. B.'s Nos. 19 and 44.

By Committee on Appropriations: A Bill for an Act entitled, "An Act to authorize the construction, furnishing and equipment of a Hospital Building, including plumbing and architect's fees at the Montana Soldier's Home at Columbia Falls, to provide for the heating plant for the heating of all buildings of said Soldier's Home including said Hospital Building, and appropriating money therefor."

Referred to Committee on Public Buildings.

H. B. No. 145: By Miller of Park, by Request. A Bill for an Act entitled, "An Act to authorize the State of Montana to become indebted in excess of One Hundred Thousand Dollars and to provide for the issuance of bonds

in the name of the State for the redemption of bonds heretofore executed and issued by the State Board of Land Commissioners for the use and benefit of various State Educational Institutions, and also to make whole the permanent funds of the various State Educational Institutions."

Referred to Committee on Finance and Claims.

H. B. No. 167: By Duncan: A Bill for an Act entitled, "An Act to add to Chapter IV, Title V, Part 2, Code of Civil Procedure a section to be known as Section 644, providing the time within which returns on summons and other process and orders must be made and filed after service.

Referred to Judiciary Committee.

H. B. No. 234: By Judiciary Committee. A Bill for an Act entitled, "An Act relating to Bills of Exception and statements of the case, providing that the exceptions of the prevailing party shall be incorporated therein, and providing for review by the Supreme Court on appeal of such exceptions and the orders and rulings relating thereto."

Referred to Judiciary Committee.

H. B. No. 217: By Committee on Ways and Means. A Bill for an Act entitled, "An Act to provide for the support of the Government of the State of Montana for the years 1907 and 1908."

Referred to Committee on Finance and Claims.

H. B. No. 210: By Committee on Appropriations. A Bill for an Act entitled "An Act appropriating money for the payment of deficiency claims of the State Encampment of 1905 of the National Guards of Montana.

Referred to Committee on Finance and Claims.

H. B. No. 237: By Judiciary Committee. A Bill for an Act entitled "An Act to amend Sections 1736, 1738 and 1739 of the Code of Civil Procedure of the State of Montana, relating to appeals to the Supreme Court.

Referred to Committee on Judiciary.

H. B. No. 209: By Committee on Appropriations. A Bill for an Act entitled "An Act appropriating money for the payment of deficiency claims in connection with the Meat and Milk Inspection Office during 1905 and 1906."

Referred to Committee on Finance and Claims.

H. B. No. 235: By Judiciary Committee. A Bill for an Act entitled "An Act to amend Section 1172 of the Code of Civil Procedure of Montana, to amend Section 1173 of the Code of Civil Procedure of Montana, as amended by an Act of the Ninth Legislative Assembly, entitled "An Act to amend Section 1152 and 1173 of the Code of Civil Procedure of Montana approved March 4th, 1905, and to amend Sections 1174 and 1176 of the Code of Civil Procedure of Montana, relating to practice on motions for a new trial."

Referred to Committee on Judiciary.

Following Notices of Introductions of Bills were received:

By Edwards, by Request: A Bill for an Act entitled "An Act to regulate the practice of Optometry."

Senate Chamber, Helena, Montana, February 15th, 1907

Mr. President:

I move to amend Rule XX of the Standing Rules of the Senate, so as to provide that the Committee on Railroads and Transportation shall consist of nine (9) instead of five (5) members, said proposed amendment to read as follows:

"27 Railroads and Transportation to consist of nine (9) members."

EDWARDS.

Edwards moved the adoption of the amendment.

White moved to lay the motion on the table.

Motion lost.

White made the point of order that under Rule 40, amendments to Rules could not be considered without a reference to Committee on Rules.

Point of order was not sustained.

By Haviland, by Request: A Bill for an Act to authorize the creation and formation of Assessment Insurance Companies, and to regulate Associations known as, and commonly called, Burial Leagues, or Mutual Burial Societies or Associations.

By Everett: A Bill for an Act providing that all bonds required by the laws of the State when issued by Surety Companies shall be for the amount secured and not for double the amount as is now required.

By Donlan: A Bill for an Act entitled "An Act for a State Water and Light Commission and the regulation of rates and service charges for water and light.

McCone asked consent to return to third order of business.

White objected.

Everett moved that the Senate refer back to the third order of business.

Motion carried.

Select Committee reported as follows:

Senate Chamber, Helena, Montana, February 15th, 1907.

Mr. President:

Your Select Committee, appointed to name the Standing Committees of the Senate, report and recommend as additional members on the Committee on Railroads and Transportation: Edwards, McDonnell, Fairbanks, and McLean.

McCONE, Chairman.

McCone moved the adoption of the report.

Long moved to amend the report by striking out the name of Fairbanks, and inserting in lieu thereof the name of Truscott.

Amendment motion lost, original motion prevailed.

On motion of Donlan Senate resolved itself into Committee of the Whole to consider business on the General File, with

Romney in the Chair.

Committee arose.

Senate resumed.

President in the Chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 15th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend; that

Sub. for S. B. No. 68 be amended in Section 1 by striking out in line 13 after word "of" the words "Sections 30 to 34 inclusive of", and as amended the Bill do pass.

That H. B. No. 22 be concurred in.

That H. B. No. 104 be concurred in.

That H. B. No. 148 be concurred in.

That the title to H. B. No. 82 be amended as follows: "An Act to amend Sections 2506 and 2506 of the Civil Code of the State of Montana relating to Hotels, Inns and Lodging Houses and the better protection of guests and employees from Fire", and as amended the Bill be concurred in.

ROMNEY, Chairman.

On motion of Rae report adopted, and Substitute for Senate Bill No. 68 referred to Committee on Engrossed Bills.

House Bills Nos. 22, 104, 148 and 82 referred to Calendar for third reading.

Following notice of Introduction of Bill was given:

By Rae: A Bill relating to the restriction of the use of the title of Lawyer or its equivalent to persons regularly admitted to practice law before the Supreme Court of Montana.

By unanimous consent Rules were suspended, and the following Bills were considered read a third time at length, read by title only:

S. B. No. 55 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Everett, Fairbanks, Harper, Long, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott, White.—19.

Noes—None.

Absent and not voting: Albright, Donlan, Edwards, Glidden, Haviland, Martien, Muffly, Sanders.—8.

Title agreed to.

S. B. No. 62 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Harper, Long, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott, White.—20.

Noes—None.

Absent and not voting: Albright, Edwards, Glidden, Haviland, Martien, Muffly, Sanders—7.

Title agreed to.

S. B. No. 77 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Fairbanks, Glidden, Harper, Long, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott, White—20.

Noes—None.

Absent and not voting: Albright, Edwards, Everett, Haviland, Martien, Muffly, Sanders—7.

Title agreed to.

H. B. No. 104 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott—23.

Noes—None.

Absent and not voting: Donlan, Miles, Muffly, White—4.

Title agreed to.

H. B. No. 148 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott.—23.

Noes—None.

Absent and not voting: Donlan, Miles, Muffly, White.—4.

Title agreed to.

H. B. No. 82 concurred in by the following vote.

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Albright, Donlan, Muffly.—3.

Title agreed to.

On motion of Long, House Bill No. 22 was withdrawn from the calendar for third reading and re-referred to General File.

Adjourned until 2 P. M. Monday.

H. K. HOWRY, Secretary.

FORTY-THIRD DAY

Helena, Montana, February 18th, 1907.

Senate convened at 2 P. M.

President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 18th, 1907.

Mr. President:

Your Committee on Public Lands, to whom was referred Senate Bills numbered 57, beg leave to report as follows:

That they have had under consideration Senate Bill No. 57 being a Bill for an Act authorizing and empowering the Governor and Secretary of the State of Montana to deed and convey to the United States of America certain lands granted to said State by the United States of America, by patent numbered One, Montana Desert Land Segregation, dated November 11th, A. D. 1903", and recommend that it be indefinitely postponed. McLEAN, Chairman.

On motion of Everett report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 18th, 1907.

Mr. President:

Your Committee on Public Morals to whom was referred Senate Bill No. 71, a Bill for an Act prohibiting marriage between white persons and negroes, or persons of negro blood, and between white persons and Indians, Chinese and Japanese, and making such marriage void, and prescribing punishment for solemnising such marriages, having had the same under consideration, respectfully recommend the same back with the recommendation that it be indefinitely postponed. CARDWELL, Chairman.

On motion of Cardwell, report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 18th, 1907.

Mr. President:

Your Committee on Public Lands to whom was referred Senate Bill numbered 88 beg leave to report as follows: That they have had under considera-

tion Senate Bill No. 88, being, a "Bill for an Act entitled, "An Act to withdraw certain lands in Fergus County, from sale, lease or other disposition by the State, and to dedicate the same as a public Cemetery", and recommend that it do pass.

McLEAN, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 15th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 62, beg leave to report as follows:

That the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for third reading.

Senate Chamber, Helena, Montana, February 18th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bills numbered 61 and 65, beg leave to report as follows: That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills referred to Calendar for third reading.

Senate Chamber, Helena, Montana, February 18th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill numbered 74, having duly considered the same, beg leave to report and respectfully recommend that the Bill be amended as follows:

Strike out all of the first sub-division of Section 717 as same appears in the Bill and insert in lieu thereof the following:

"Section 717: Every person who sells, furnishes, or gives away any spiritous or malt liquors, wine or cider, or any beverage containing any intoxicating liquors, within five miles of any railroad grade, irrgating ditch, or canal under course of constructon, or on any railroad grade on which track is being laid, or within five miles of any logging camp, saw mill, mine, stone quarry, or sheep shearing camp in operation, is punishable by imprisonment in the County Jail not exceeding sixty days or a Fine not exceeding One Hundred Dollars, or by both such fine and imprisonment." Add after the word "business" in Section 1 the following: "PROVIDED, that the provisions of this Act shall not apply to any person previously engaged in selling intoxicating liquors at a fixed place of business, established prior to the beginning of work in or upon, or the erection or construction or operating of any of the things enumerated in this Act, or to his assigns.

That the word "fifty" in line 12 of the printed Bill be stricken out and the word "thirty" be inserted in lieu thereof. Also by striking out all of line 16 after the word "businesses" and all of line 17 of the printed Bill, and that the title of the Bill be stricken out and the following title inserted in lieu thereof:

"A Bill for an Act entitled 'An Act to amend Section 717 of the Penal Code of the State of Montana as the same is amended by Chapter 39, Laws of 1905, relating to the sale of intoxicating beverages within five miles of any railroad grade, irrigation ditch, or canal in course of construction, or on any

railroad grade on which track is being laid, or within five miles of any logging camp, saw mill, mine, stone quarry, or sheep shearing camp in operation, making exceptions to the provisions of this Act and defining the meaning of the words "town" and "city" as used herein"; and as amended recommend that the Bill do pass.

WHITE, Chairman.

On motion of White report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 18th, 1907.

Mr. President:

Your Committee on Education having had under consideration H. B. No. 134 recommend that same be concurred in.

TOOLEY, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 18th, 1907.

Mr. President:

Your Committee on Printing, beg leave to report Senate Bills No. 39, 51, 81, 83, 90 and Senate Joint Resolution No. 3, correctly printed.

SANDERS, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, February 18th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred Substitute for House Bill numbered 47 being a Bill for an Act entitled "An Act prohibiting any State Officer, State Board of Trustees, State Managers, or Commissioners from contracting any liability or indebtedness for any purpose whatever in excess of the amount appropriated for the office, institution or commission, or organization under his or their control or management, without the previous authority of the State Board of Examiners.

Recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to General File.

Senate, Chamber, Helena, Montana, February 18th, 1907.

Mr. President:

A majority of your Committee on Railroads and Transportation, to whom was referred House Bill No. 1, being, "A Bill for an Act entitled "An Act to create and establish a Board of Railroad Commissioners for the State of Montana, providing for the appointment and election of members thereof, and defining their powers and duties, and providing remedies for the enforcement of the provisions of this Act and penalties for the violation thereof," beg to report that they have had the same under consideration, and recommend that it be amended as follows:

In Section 16, line 182, after the word "forfeit" strike out the word "any" and insert in lieu thereof the word "and."

In Section 22, line 256, between the words "any" and "Company" insert the word "railroad".

In Sction 23, line 269, strike out the words "passengers or", and that with said amendments, they report the said Bill back to the Senate with the recommendation that it be concurred in.

EVERETT, Chairman.

Senate Chamber, Helena, Montana, February 18th, 1907.

Mr. President:

We, the minority of your Committee on Railroads and Transportation, having had under consideration House Bill No. 1, being the Railroad Commission Bill, beg leave to report and recommend that the following amendments to said Bill be adopted and incorporated in the same, to-wit:

In section 1 line 4, after the word "State", strike out the remaining words of said line and all of lines 5 and 6 and insert in lieu thereof the words: "The Board of Railroad Commissioners shall be appointed by the Governor, with the consent of the Senate, and shall be removed by him for cause."

In Section 1 line 7, strike out the words "named herein as commissioners", and insert the words "appointed by the Governor, and confirmed by the Senate."

In line 93 after the words "express companies", add the words "refrigerator car companies."

In line 108 insert after the word "companies" the words "refrigerator car companies."

In line 114, after the word "state, insert the following words: "to prevent discrimination between shippers by common carriers, in furnishing such shippers with empty cars."

In line 122, after the word "railroads", insert the following words: "the Board shall have the power, and it shall be its duty to regulate the confiscation of coal by common carriers. The penalty of such confiscation shall be the value of the coal confiscated, together with the actual damages to the consignee, by reason of such confiscation, and it shall be the duty of said Board to investigate all such cases upon complaint of any shipper or consignee, and to enforce the provisions of this Act."

In line 128, after the word "Board", add the following:

"The Commission shall have power, and it is hereby made its duty to investigate all freight rates and inter-state tariffs on railroads in this state, when the same are in the opinion of the Commission, excessive or discriminatory or are levied or laid in violation of the inter-state commerce law, or are in conflict with the rules, orders or regulations of the inter-state commerce Commission. The Commission shall present the facts to the railroad, with the request to make such changes as the commission may advise, and if such changes are not made within a reasonable time, the Commission shall apply by petition to the inter-state Commerce Commission for relief.

All freight tariffs, issued by such railroad, relating to inter-state traffic in this State, shall be filed in the office of the Commission within thirty days after the passage and publication of this Act, and all such tariffs hereafter issued, shall be filed with the commission when issued."

It shall also be the duty of said Board to ascertain the actual value of all railroad property within the State, and report such valuation so found, to the State Board of Equalization, to be used by said Board of Equalization as a basis for fixing the assessment for all State and County taxes, and said Board of Railroad Commissioners shall use such values, so ascertained, as a basis for fixing just and equitable freight and passenger rates."

In line 129, after the words "Section 14", strike out the remainder of line 129, and all of lines 130, 131, 132, 133, and 134 and insert in lieu thereof the

word "before", and in line 138, strike out the word "such", and add "s" to the word "classification", "in line 138 and 139.

In line 162 after the word "companies", where it last appears in said line add the words "refrigerator car companies."

In line 180, after the word "notification" add the following words:

"The Board shall have and is hereby given authority to inspect any railroad track, road bed or railroad bridge, either by any member of the Board, or any duly appointed agent, and if, in the judgment of the Board any such railroad track, road bed or railroad bridge is unsafe or inadequate to sustain the traffic which is carried over the same, the Board shall forthwith notify such Railroad Company, in writing to repair the same, within a reasonable time to be fixed by the Board. If such Railroad Company fails to repair the same within the time fixed by the Board, then it is hereby made the duty, of the Board to make such repairs at the expense of such Railroad Company, and during such time as the repairs remain incompleted, the Board shall have the right, and it is hereby made its duty, to regulate the speed and tonnage of all trains over such track, and if said repairs are made by the Board and remain unpaid for by the Railroad Company for a period of thirty days after their completion, the amount thereof, together with a penalty of twenty-five per cent, shall be certified by the Board to the Treasurer of the County or Counties in which such repairs were made; which amount and penalty shall be added to the tax roll of said Treasurer; against such Railroad Company, and become a lien upon the property of such Railroad Company, and be collected in the same manner and at the same time as taxes collected upon the property of such Railroad Company"; and strike out lines 181, 182, 183 and 184.

In line 225, after the word "county", strike out the remainder of said line, and all of lines 226, 227 and 228, and strike out all of line 235 after the word "Court, and strike out all of lines 236, 237 and 238.

In line 255, after the word "Court" insert the following, "Any rate fixed by the Board shall obtain and be in force pending the hearing and determination of any action including all appeals therefrom."

In line 284 strike out the word "equitable".

In line 289, after the word "action", insert the following words, "Commenced under the provisions of this Section".

Respectfully submitted,

McCARTHY,
MARTIEN.

Martien moved the adoption of the minority report.

Everett moved as a substitute the adoption of the majority report.

Martien demanded a roll call.

The substitute motion carried by the following vote:

Ayes: Annin, Bielenberg, Donlan, Edwards, Everett, Fairbanks, Harper, Metcalf, Miles, McCone, McDonnell, McLean, Rae, Sanders, Tooley.—15.

Noes: Cardwell, Glidden, Haviland, Long, Martien, Muffly, McCarthy, Truscott, White.—9.

Absent and not voting: Albright, Cowgill, Romney.—3.

Majority report adopted and H. B. No. 1 referred to General File.

Senate Chamber, Helena, Montana, February 18th, 1907.

Mr. President:

Your Committee on Enrolled Bills report Senate Bills numbered 7, 13, 17, 28 and 30 as correctly enrolled.

Respectfully submitted,

RAE, Chairman.

After giving notice President signed Senate Bills Nos. 28, 7, 13, 30 and 17.

The following communication from His Excellency the Governor was received and read:

Executive Office, Helena, Montana.
February 18, 1907.

To the President of the Senate, Senate Chamber,
Helena, Montana.

The following Senate Bills have been approved and deposited with the Secretary of State:

No. 9. An Act to amend Sections 1520 of the Political Code of the State of Montana, relating to the duties of the State Superintendent of Public Instruction, regarding the revocation of State or Live Diplomas and issuance of temporary State Certificates.

No. 4, An Act to legalize the outstanding bonds and warrants of Counties heretofore issued for the purpose of paying for the construction of highways, bridges and public buildings.

No. 16. An Act to amend Section IV of an Act entitled, "An Act relating to Municipal Indebtedness and repealing Sections 4970, 4971, 4972, 4973, 4974, 4975, 4976, 4977, 4978, 4979 4980, and 4981 of the Political Code of the State of Montana; Approved March 6, 1897.

No. 6. An Act governing the manner of locating, recording and holding possession of mining claims upon the Public Domain of the United States within the State of Montana.

I call your attention to Senate Bill No. 32 and to an evident error in the title of the same. The bill is intended to repeal what is known as the Primary Nomination Law, and by an evident error the title indicates that it is an Act to provide for the nomination of candidates by direct vote at a primary election, et cetra.

I shall hold the bill in my possession, subject to such disposition as you care to make of the same.

J. K. TOOLE, Governor.

The following comunications from the House were received and read:

House of Representatives, Helena, Montana, February 15th, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that the following notices of bill were this day received:

By Miller of Lewis and Clark, by request. A Bill for an Act entitled, "An Act to regulate the licensing of itinerary venders and fix the amount of such licensing.

By Campbell. A Bill for an Act entitled, "An Act to authorize and empower cities of the first class to provide and maintain a hospital for the care of emergent cases, and to provide for the support and maintenance of such hospital.

By Campbell. A Bill for an Act entitled, "An Act to amend Section 3960, Chapter 10, Title 10, Part 3, of the Political Code of the State of Montana relating to Poll Tax.

By Marshall. A Bill for an Act appropriating the sum of Three Hundred and Seventy-five Dollars to pay Dr. Geo. H. Putney for services rendered as Meat and Milk Inspector for the months of December, 1904, and January and February, 1905.

By Cutler. A Bill for an Act entitled, "An Act providing for the working of the convicts in the Montana State Penitentiary upon the public roads and highways within any county in the State of Montana.

By Duncan. A Bill for an Act entitled, "An Act requiring any corporation doing busines in this State to, annually, file a list of the officers, directors or trustees with the Secretary of State, and a duplicate list thereof with the County Clerk of each County wherein such corporation does business, and also to provide penalties for the violation of any of the provisions of this Act.

By Shaw. A Bill relating to the publication of the State Treasurer's report.

By Shaw: A Bill relating to the publication of notices of delinquent taxes.

By Scallon. A Bill for an Act relating to the liability of employers to employees in underground mines, smelting works, concentrators, coal washers, factories and mills.

By Shaw, Tudor and Weed. A Bill for an Act entitled, "An Act to create and establish a Board of Railroad Commissioners for the State of Montana, providing for the appointment and election of the members thereof, and defining their powers and duties and providing remedies for the enforcement of the provisions of this Act, and penalties for the violation thereof". Upon this Bill the Referendum will be demanded, under the provisions of the Referendum clause of Article V of the Constitution of the State of Montana, as amended by Act of the Ninth Legislative Assembly, approved March 2, 1905, and submitted to the people of the State at the general election, held November 6, 1906, and by them adopted and approved.

Respectfully,
NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 15th, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that Substitute for House Bills Nos. 45 and Sub. for 23 have been read a third time and passed by the House and are herewith transmitted to your Honorable body for its concurrence.

Respectfully,
NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 15th, 1907.

Mr. President:

I am directed by the House to inform your Honorable body, that the Speaker has appointed Bennett, Tudor and Macaulay to act with a like committee from your Honorable body in Senate Joint Resolution No. 2.

Respectfully,
NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 15th, 1907.

Mr. President:

I am directed by the House to inform your Honorable body, that Miss

Margaret Doyle has been appointed Clerk to the Engrossing Committee of the House.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 15th, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that the following Bills were this day introduced, and read first and second times:

By Campbell, H. B. No. 340. A Bill for an Act making appropriations to pay the salaries of Meat and Milk Inspector to the State of Montana for the years 1907 and 1908, and appropriating one thousand dollars for 1907 and one thousand dollars for 1908, for the payment of actual expenses incurred by the Meat and Milk Inspection Commission.

By Boorman, H. B. No. 341. A Bill for an Act entitled, "An Act to permit the use of a seine or catch net in the St. Mary's Lakes and permitting the sale of certain fish thus caught.

By Gray, H. B. No. 342. A Bill for an Act entitled, "An Act to empower the County Commissioners to employ some suitable person to investigate and report for assessment any property of persons or corporations that has escaped taxation.

By Brewster, H. B. No. 343. A Bill for an Act entitled, "An Act to provide for the gathering and sale of unknown estrays upon the Public Domain.

By Cameron, H. B. No. 344. A Bill for an Act to amend Sections 3491 and 3496 of Part III, Title X, Chapter IX of the Political Code of the State of Montana, relating to the collection and cancellation of taxes on personal property, to provide for the appointment of the Sheriff or Assessor as a Special Deputy Treasurer to collect such taxes and capitation taxes, and to provide for compensation of such deputy.

By Marshall, H. B. No. 345. A Bill for an Act entitled, "An Act regarding pool-rooms, pool selling and registering of bets, and to punish the keeping of pool-rooms, book-making and pool selling and recording of bets by unlicensed persons; to provide for the issuance of licenses therefor; and to provide civil and criminal liabilities and penalties for the violation of its provisions and civil actions for the recovery of money lost on any pool or bet sold or registered contrary to this Act, and repealing and prohibiting ordinances on the subject, and repealing Acts in conflict herewith.

By Marshall, H. B. No. 346. A bill for an Act to create a Commission to regulate, control and supervise a "State Bank Deposit Insurance Fund", to provide for the same; to control its investments and disbursements and to control the receivers of insolvent banks.

By Miller of Park, by request, H. B. No. 347. A Bill for an Act entitled, "An Act to amend Section 4800 of the Political Code of the State of Montana, as amended by House Bill No. 203 of the Fifth Legislative Assembly of the State of Montana, approved March 8, 1897, and to amend Section 4814 of the Political Code of the State of Montana, relating to the legislative powers of cities and towns.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 18, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that House

Bills Nos. 123, 213, 132, 188 and 34 have been read a third time and passed by the House and are herewith transmitted to your Honorable body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 18, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that House Bills Nos. 151, 236, 174 and 159 have been read a third time and passed by the House and herewith transmitted to your Honorable body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 18, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that the following notices of Bills were this day received:

By Shaw. A Bill for an Act creating a Horticulture Fund.

By Shaw. A Bill for an Act to amend the Act creating the State Board of Horticulture.

By Shaw, Tudor and Weed. A Bill for an Act appropriating money for expenses of Railroad Commission; this bill to be submitted to the people under the Initiative and Referendum.

By Scallon. A Bill for an Act to amend Section 410 of the Civil Code relating to the purchase of property and the issuance of stock of incorporations in payment of property purchase.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 18, 1907,

Mr. President:

I am directed by the House to inform your Honorable body that the following bills were this day introduced and read first and second times:

By Scallon, H. B. No. 348. A Bill relating to liability of employers to employees in underground mines, smelting works, concentrators, coal washers, factories and mills.

By Miller of Lewis and Clark, H. B. No. 349, by request. A Bill for an Act entitled, "An Act to regulate the licensing of itinerary venders and to fix the amount of such licenses.

By Marshall, H. B. No. 350. A Bill for an Act to appropriate the sum of Three Hundred and Seventy-five Dollars ($375.00) to pay Dr. George H. Putney for services as meat and milk inspector for Missoula County for the months of December, 1904, and January and February, 1905.

By Gray, H. B. No. 351. A Bill for an Act entitled, "An Act requiring the head physician of the State Insane Asylum to make monthly reports to the District Judges, showing the condition of the inmates of said asylum.

By Allen, H. B. No. 352. A Bill for an Act entitled, "An Act providing for the submission to the electors of the State of Montana an amendment to Section 14 of Article XII, of the Constitution of the State of Montana, relating to the care and management of public moneys in the hands of public

officers and providing for a State Depository Board to direct the depositing of State moneys in the possession of the State Treasurer.

By Allen, H. B. No. 352. A Bill for an Act entitled, "An Act to amend Section 446, Part 3, Title 1 of Article VII, of the Political Code of Montana, relating to the Salary of the State Treasurer.

By Allen, H. B. No. 354. A Bill for an Act entitled, "An Act to prevent the removal or interference with dead human bodies, when death has been caused, or there is reason to believe that death has been caused, by violent or unnatural causes, without first notifying the County Coroner or the Justice of the Peace as Coroner and to provide a penalty for the violation thereof.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 18, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the House has appointed Mr. Jas. E. Stevens as proof reader in place of Miss Maud Clemens, relieved.

Respectfully,

NATHAN GODFREY, Chief Clerk.

After giving notice the President signed House Bills Nos. 123, 127, 173, 126, 165 and 102.

By unanimous consent rules were suspended and Tooley and Haviland were allowed to introduce bills without previous notice.

By unanimous consent rules were suspended and Edwards allowed to introduce a resolution without previous notice.

By unanimous consent rules were suspended and the following bills were read first and second times by title only:

S. B. No. 100, by Rae. A Bill for an Act to prohibit persons not legally admitted to practice law in the courts of the State of Montana from holding themselves out to be lawyers, or in any manner whatsoever using the title of "lawyer", "attorney", "conveyancer" or the equivalent thereof, and fixing a penalty for the infraction thereof.

Referred to Committee on Judiciary.

S. B. No. 101, by Tooley. A Bill for an Act to amend Section 864 of the Civil Code relating to corporations.

Referred to Committee on Corporations other than Municipal.

S. B. No. 102, by Haviland. A Bill for an Act entitled, "An Act to provide a silver service for the federal battleship "Montana", and to appropriate money to purchase the same.

Referred to Committee on Finance and Claims.

S. B. No. 103, by Muffly. A Bill for an Act to abolish the offices of State Game and Fish Warden and Deputy State Game and Fish Wardens, and to impose the duties of such officers upon the sheriff and their deputies in the several counties of the state.

Moved by Donlan that further consideration of the bill be dispensed with.

Motion carried and the bill indefinitely postponed.

S. B. No. 104, by Miles. A Bill for an Act entitled, "An Act to amend Sections 3, 4, 5, 6, 8 and 9 of Chapter 57 of the Session Laws of 1905, filed March 2nd, 1905, and becoming a law without the approval of the Governor,

and relating to the licensing of resident and non-resident sportsmen and the duties of the State Game and Fish Warden.

Refered to Committee on Fish and Game.

Senate Joint Resolution No. 4, by Edwards. A Resolution providing for appointment by the Governor of a Commission of three to investigate "Library Extension Work" and to report to the Eleventh Legislative Assembly.

Referred to Committee on Libraries.

Sub. for H. B. No. 45, as amended, by Whiteside. A Bill for an Act entitled an "Act to provide for the creation and organization of Irrigation Districts, to provide for the election of a Board of three Driectors in each District, defining the duties and powers of such Directors and fixing their compensation and making it penal for any such Director to be interested in any contract let by such Board. To authorize the issuance of bonds and fixing the duration, character and form of such bonds and making such bonds a lien upon the particular lands for the irrigation of which said bonds are issued. Providing for the assessment of lands in such irrigation districts, for the payment of the principal and interest of said bonds and for the administration expenses of said irrigation districts and the maintenance of all irrigation works in such districts. To provide for the equalization of all district assessments by the Directors of said Districts. To provide for appeals from all decisions of the Directors of Irrigation Districts. Making the County Treasurer in the counties where such districts are organized the custodian of all funds and securities belonging to such districts. Providing for the sale of lands for delinquent assessments and the manner in which the same may be redeemed to provide for the extension of such irrigation districts and the adjustment and payment of all differences between the old and new portions of such districts. To provide for the sale of water by any district to any other district and fixing the manner and form of payment therefor and the manner in which differences between such districts shall be adjusted. Making and declaring the construction of all irrigation works to be a public use and granting right of way therefor over State lands and exemption of all such irrigation works from taxation. To provide for the payment and transfer of money to or from the various funds of said district. To provide for the manner in which lands belonging to the State or to the United States may be included in such districts, making the lessees or settlers of such lands liable for certain assessments and providing for the collection of such assessments and fixing the time wherein the water apportioned to such public land shall become appurtenant to the same.

Referred to Committee on Irrigation and Water Rights.

Sub. for H. B. No. 23, by Corby. A Bill for an Act entitled, "An Act making effective the Initiative and Referendum Provisions of Section I of Article V as amended, of the Constitution of the State of Montana, and regulating elections thereunder, and providing penalties for violations of the provisions of this Act.

Referred to Committee on Judiciary.

H. B. No. 188, by Miller of Park, by request. A Bill for an Act entitled, "An Act creating a County Board of Educational Examiners, providing for their appointment, fixing their compensation, and prescribing their qualifications and duties.

Referred to Committee on Education.

H. B. No. 123, by Weed. A Bill for an Act entitled, "An Act defining the status of persons soliciting life insurance.

Referred to Committee on Judiciary.

H. B. No. 213, by Weed. A Bill for an Act entitled, "An Act relating to the provisions of life insurance companies.

Referred to Committee on Judiciary.

H. B. No. 34, by Manchester. A Bill for an Act entitled, "An Act to amend an Act approved March 5, 1903, entitled, 'An Act relating to the granting of franchises by cities and towns and providing a submission of the question of granting any franchise to the resident freeholders whose names shall appear on the city or county tax roll preceding such election' and providing for the extension of said franchises under certain conditions.

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 151, by Scallon. A Bill for an Act entitled, "An Act providing regulations for saloons and prohibiting wine-rooms in or in connection with saloons, prohibiting the frequenting of wine-rooms by females or the admission of females to wine-rooms, and prohibiting females being in saloons for the purpose of being supplied with liquor, and prohibiting certain signs in connection with saloons, and providing for the enforcement of this act, and penalties for its violation.

Referred to Committee on Judiciary.

H. B. No. 159, by Marshall. A Bill for an Act entitled, "An Act to amend Section 3162 of the Code of Civil Procedure as the same is amended by an Act of the Fifth Legislative Assembly of the State of Montana, approved February 19th, 1897, relating to witnesses.

Referred to Committee on Judiciary.

H. B. No. 174, by Marshall. A Bill for an Act entitled, "An Act providing for the redemption and payment of County School District, City and Town bonds, held by the State before the maturity thereof.

Referred to Committee on Finance and Claims.

H. B. No. 236, by Judiciary Committee. A Bill for "An Act to amend Section 637 of the Code of Civil Procedure of the State of Montana relating to publication of summons.

Referred to Committee on Judiciary.

H. B. No. 132, by Weed. A Bill for an Act entitled, "An Act to prohibit misrepresentation by life insurance companies.

Referred to Committee on Public Morals.

Following notice was received and read:

By Harper. A Bill for an Act to create a non-resident fishing license, to provide for residents to secure fishing and hunting license by application; providing for the State Auditor to furnish license blanks; fixing compensation on license sales; creating additional game and fish districts, and providing deputies for the same; permitting forestry officers of the United States to secure a residence license, and reducing the cost of guide license.

The following resolution was offered:

Senate Concurrent Resolution No. 5, by McCone. Be it resolved by the Senate, the House concurring, that His Excellency, the Governor, be, and is hereby requested to return to the Senate Senate Bill No. 32 being an Act

repealing the Primary Election Law, for the purpose of enabling the Senate to correct an error in the enrollment of said bill.

On motion of McCone Resolution adopted.

Senate Resolution No. —, by Donlan. Be it resolved by the Senate, that F. C. Pearson, Clerk to Printing Committee, be allowed compensation during his absence on account of illness, and the President and the Secretary of the Senate be, and they are hereby instructed and directed to place upon the Pay Roll the name of said Pearson.

On motion of Donlan, Resolution adopted.

Senate Concurrent Resolution No. 6, by McCone. Asking our Senators and Representatives in Congress to urge proper recognition by Congress of the necessity of appropriations for the Missouri and Yellowstone rivers to make them navigable.

Donlan moved the adoption of the Resolution.

Long offered as a substitute motion to amend the Resolution by adding the name "Flathead" after the name "Yellowstone".

Substitute motion carried.

On motion of Martien Senate resolved itself in Committee of the Whole to consider bills on the General File with,

Edwards in the chair.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 18th, 1907.

Mr. President:

Your Committee of the Whole, having had under consideration the General File of bills instruct me to report and recommend, that

S. B. No. 53 do pass.

That S. B. No. 66 do pass.

That S. B. No. 73 be amended in Section 1 by inserting after the word "town" in line 11 of the printed bill the words "or city".

Amend Section 7 by striking out in line 73 of the printed bill after the word Section, figure 7 and inserting in lieu thereof the figure 10, also by adding a new section to appear in said bill after line 72, said new section to be as follows:

Section 7. Any railway company or corporation or agent thereof who shall fail to uncouple cars before weighing, or who shall fail to weigh each car separately and alone, or who shall fail to seal such cars at the time of weighing, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than $100, nor more than $500 for each and every offense.

Amend Section 8 of the printed bill by striking out in line 74 after the word Section, figure 8 and inserting in lieu thereof the figure 11, also by adding a new section to appear in said bill immediately after the above new section.

Section 8. Every railway company or corporation or agent operating a railroad within this state, when weighing coal, hay, grain or other commodity in bulk, shall at the time of weighing such car, seal the doors on each car securely so as to prevent entrance of any person until the car shall have been received and seal broken by consignee; and any railway company or corpora-

tion shall be liable to the consignee for any or all loss incurred in transit whether from defective cars, error in weight or the breakage of seals, the amount of such loss to be awarded in any court of competent jurisdiction upon presentation of evidence of shortage when car was received; also by adding a new section to follow in regular order immediately after the sections just added:

Section 9. That every railway company or corporation or agent thereof operating a railroad within this state, shall in weighing cars loaded with coal, grain, hay or any merchandise or commodity in bulk form, uncouple each car from any or every other car before weighing, so that each car shall be weighed separately and alone, and not more than one car shall be placed on the scales for weighing at one and the same time.

Amend the title as follows:

"An Act entitled an Act to compel corporations, associations or persons operating railways or railroads in the state to furnish cars and power to move shipments of property in carload lots, to provide for the weighing and sealing of cars and to provide for the recovery of penalties and damages for the violation of any of the provisions of this act, and to prevent discrimination against shippers in furnishing cars and power to move their property.

And that as amended the bill do pass.

That S. B. No. 84 do pass.

That S. B. No. 78 do pass.

That H. B. No. 22 be concurred in.

That S. B. No. 74 be amended in Section I by inserting after the word "town", in line 11 of the printed bill, the words "or city".

And that as amended the bill do pass.

That H. B. No. 134 be concurred in.

That Sub. for H. B. No. 47 be concurred in.

That H. B. No. 1 be amended in Section 7, page 4, strike out the word "their" in line 71 where it occurs the second time and insert at that point the words: "A right to free transportation, and to have their actual and necessary". Add to Section 10 on page 5 the following: "In the event the process issued by the Board is a subpoena for the attendance of a witness, and he shall have failed, neglected or refused to obey the same, the Board is hereby authorized to file a petition with any District Court in the State, setting up the facts and the necessity of having such witness appear in such trial, and the Court shall thereupon summarily direct that a subpoena be issued out of the Court requiring the attendance of any person or persons as a witness before such Court; and the Board shall thereupon have the power and authority to examine such witness before such Court, under oath, respecting any inquiries for investigation being made by said Board, under and pursuant to the provisions of this Act. The Court shall likewise when any petition is filed stating the necessity therefor order the production by any person or corporation, for examination in said Court, any books, papers, records or files necessary or appurtenant to any inquiry or investigation then being made by said Board".

Amend Section 13, page 6, by adding thereto the following:

"And it shall be within the province of the Board to entertain and hear complaints made by any shipper to the effect that unjust discrimination is being made as against the State of Montana or any point therein in the way

of rates for the transportation of freight or passengers from any point within the State to points within the State and vice versa; and the proper cases, where it appears that the United States Interstate Commerce Commission Law has been violated, it is hereby made the duty of said Board to make complaints to the Interstate Commerce Commission of the United States and to aid such Commission in any investigation it may make concerning violations of the United States law by furnishing evidence, and in any other manner which may seem best suited to enforce both the United States and State law, and to protect the interests of the people.

Amend Section 16 on page 8 by inserting after the words, "This State", in line 165 the following: "in all matters appertaining to the duty of said Board and within its power and authority under the provisions of this Act"; and by inserting in line 170, after the word "above" the following "insofar as the same may be pertinent to any matter under investigation before said Board", and by striking out after the word "Act" in line 171, all the remainder of said section.

Strike out all of Section 17 on page 9, and making Section 16-B read Section 17.

Amend Section 18 by striking out everything appearing after the word "transportation" in line 210 down to and including the word "Board" in line 214.

Amend Section 21, line 251, after the word "unreasonable" insert the words: "it shall thereupon be the duty of said Board to make new rates or a reclassification, as the case may be"; and strike out that part of Section 21, after said word "unreasonable, in line 251, down to and including the word "court", in line 254, on page 12.

Strike out Section 22, appearing on page 12, of said Act, and advance all Sections thereafter one number.

Strike out the words: "passengers or", where same occur in line 269, page 12, Section 23, and by inserting in said section after the word "offense" in line 272 the words "provided that nothing therein shall be so construed as to prevent any railroad or railroad corporation from giving excursion rates to or from any point within or without the state".

Amend Section 28 by inserting at line 235 after the word "Board" the words "effecting rates or charges", and also on page 15 by inserting in line 340 after the words "shall be" the following: "fixed and assessed as by the Court may seem just and equitable" and by striking out all the remainder of said Section.

Amend Section 29, page 15 at line 346 by striking out the word "railroad" and inserting in place and stead thereof the words "Board of Railway Commissioners", and also in line 350 after the word "Board" by inserting the words "affecting rates or charges" and also in the same line by inserting after the word "conclusive" "except as herein otherwise provided".

Amend Section 30 in line 357 by inserting after the word "Commission" the words "relating to rates and charges".

And that as amended the bill be concurred in.

EDWARDS, Chairman.

On motion of Donlan report adopted.

Senate Bills Nos. 53, 66, 73, 84, 78 and 74 referred to Committee on Engrossed Bills.

House Bills Nos. 22, 134, Sub. for H. B. No. 47 and 1 referred to calendar for third reading.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

FORTY-FOURTH DAY

Helena, Montana, February 19th, 1907.

Senate convened at 10:30 A. M.

President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

On motion of Martien Secretary of the Senate was instructed to have copies of the amendments as made by the Senate yesterday to House Bill No. 1 placed on the desk of each of the Senators and the House of Representatives.

A communication from the Washington Legislature, Tenth Regular Session, Memorializing, and protesting against the withdrawal of certain public lands from homestead settlement, was received, read and referred to Committee on Public Lands.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 19th, 1907.

Mr. President:

Your Committee on printing, beg leave to report Senate Bills Nos. 69, 94, 96 and 98 correctly printed.

SANDERS, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, February 19th, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, having had Senate Bill No. 47 under consideration, beg leave to report as follows:

That the same be printed.

Respectfully,

MILES, Chairman.

Report adopted, and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 19th, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, to whom was referred House Bill No. 249, beg leave to report as follows:

That they have had under consideration said House Bill No. 249, and report back that the same be concurred in.

MILES, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 19th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bill numbered 60, beg leave to report as follows:

That the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for third reading.

Senate Chamber, Helena, Montana, February 19th, 1907.

Mr. President:

Your Committee on Enrolled Bills reports that Senate Bills Nos. 4, 6, 7, 9, 11, 13, 16, 17, 28, 30 and 32 have been duly signed by the Speaker of the House and are now in the hands of His Excellency, the Governor.

RAE, Chairman.

Following communications from the House were received and read.

House of Representatives, Helena, Montana, February 18, 1907,

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Shaw: H. B. No. 235. A Bill for an Act requiring County Treasurers to prepare and file with County Clerk a report of all license tax collected, the auditor to verify such report, and the County Clerk to publish same.

By Shaw: H. B. No. 356. A Bill for an Act to amend Section 448, Article VII, Chapter III, Part III of the Political Code of the State of Montana, relating to the duty of the State Treasurer to make quarterly reports to the Governor.

By Campbell: H. B. No. 357. A Bill for an Act entitled "An Act to authorize and empower Cities and Towns of the first class to provide and maintain a hospital for the care of emergent cases and to provide for the support and maintenance of such hospital.

By Campbell: H. B. No. 358. A Bill for an Act entitled "An Act to amend Section 3960, Chapter 10, Title 10, Part 3 of the Political Code of the State of Montana, relating to Poll Tax.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 18, 1907,

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 9 has been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 18, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills No. 116, have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 18, 1907,

Mr. President:

I am directed by the House to inform your Honorable Body that the following notices of Bills were this day received:

By Maxwell: A Bill for an Act entitled "An Act appropriating money for the reimbursement of Organized Water Users' Associations for fees paid the Secretary of State on filing of Articles of Incorporation prior to the passage and approval of an act entitled "An Act providing that Water Users' Associations organized in conformity with the requirements of the Laws of the United States and the State of Montana, for the furnishing of water only to its shareholders, shall be exempt from the incorporation tax, annual franchise tax, and fixing the fee required to be paid to the Secretary of State for filing and recording such articles and issuing certificates of incorporation.

By Maxwell: A Bill for an Act to amend Section 448 of the Civil Code of the State of Montana, relating to the meetings of stockholders and board of directors of incorporations, approved February 24th, 1899, relating to the meetings of stockholders and Board of Directors of Incorporations.

By Brownlee: A Bill abolishing the office of the Fish and Game Warden and providing that the enforcement of the Fish and Game Laws shall devolve upon the sheriffs and deputies; also repealing the fishing and hunting license law, and transferring the money in the Fish and Game Fund to the General Fund.

By Warren: A Bill for an Act entitled "An Act regulating the hours of engineers and firemen in all state institutions.

By Potter: A Bill for an Act entitled "An Act to repeal an Act entitled 'An Act to amend Sections 3070, 3071, 3072 and 3076 of the Political Code of Montana, as amended by an Act, approved March 6th, 1903, relating to the bounties for the killing of certain wild animals, approved March 1, 1905.

By Decker: A Bill for an Act authorizing and empowering the Carey Land Act Board to secure cancellation of bonds issued for the reclamation of arid lands under the Carey Congressional Act and accept bonds in payment of canals, water rights, lands and appurtenances and execute deeds therefor, and to compromise claims and make contracts for reclamation and settlement of said arid lands.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 18th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Concurrent Resolution No. 5 was concurred in.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 18th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 120 has been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 18th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House

Bills Nos. 197 and 200, have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 18th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 78, 115, 178 and 122 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 18th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 43 has been read a third time and passed by the House and is herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 18th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate amendment to House Bill No. 129 was rejected by the House and Mr. Speaker appointed a Committee of Three to confer with a like Committee from the Senate, and the Bill is herewith transmitted to your Honorable Body.

Respectfully,

NATHAN GODFREY, Chief Clerk.

By unanimous consent following Bills were read first and second time by title only.

S. B. No. 105: By Edwards, by Request. A Bill for an Act to regulate the practice of Optometry.

Referred to Committee on Judiciary.

S. B. No. 106: By Haviland, by Request. A Bill for an Act to authorize the creation and formation of assessment Insurance Companies, and to regulate associations known as and commonly called Burial Leagues, or Mutual Burial Societies or Associations.

Referred to Committee on Corporations other than Municipal.

S. B. No. 107: By Donlan. A Bill for an Act authorizing the State Furnishing Board to purchase linoleum for the offices situated on the First Floor of the Capitol Building, and a Safe and other office fixtures for the State Land Office, and to appropriate money for the payment thereof.

Referred to Committee on Public Buildings.

S. B. No. 108: By Harper. A Bill for an Act to create a non-resident fishing license; to provide for residents to secure fishing and hunting licenses by application and providing for the State Auditor to furnish License blanks; fixing commission on license sales; creating additional game and fish districts, and providing deputies for the same; permitting forestry officers of the United States to secure a resident's license and reducing the cost of guides' licenses.

Referred to Committee on Fish and Game.

H. B. No. 33: By Leighton. A Bill for an Act entitled "An Act appro-

priating money for the completing, furnishing and equipping of the building for the feeble minded at the Montana School for the Deaf and Blind at Boulder, Montana, and for the fittings and furnishings of the Industrial Building and Gymnasium for the feeble minded at the Montana School for the Deaf and Blind at Boulder, Montana, and for the erection and equipment of an additional Building for Hospital and other purposes at said Institution, and also for the farm connected with the said Montana School for the Deaf and Blind at Boulder, Montana."

Referred to Committee on Public Buildings.

H. B. No. 115: By Corby. A Bill for an Act entitled "An Act for the better protection of employees and for preventing superintendents, foremen, assistants, bosses, or any other person from receiving or soliciting any sum of money or other valuable consideration for or on account of employing or continuing to employ any person or promising or agreeing so to do; and providing penalties for violations of this act."

Referred to Committee on Labor and Capital.

H. B. No. 178: By Blake. A Bill for an Act entitled "An Act to provide for the payment of the actual necessary expenses of Judges of the District Court when holding Court in his District in any County not the County of residence of such Judge."

Referred to Committee on Judiciary.

H. B. No. 122: By Warren. A Bill for an Act entitled "An Act to provide for the payment of the actual expenses of County Assessors incurred in the performance of official duty.

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 78: By Towers. A Bill for an Act entitled "An Act to authorize, empower and direct the Board of Trustees of the Montana State Reform School, at Miles City, Montana, to finish and complete the construction and furnishing of the Girls Building at said Montana State Reform School; also to authorize, empower and direct the construction and furnishing of a Hospital Building at said Reform School and to appropriate money for all said purposes.

Referred to Committee on Public Buildings.

H. B. No. 200: By Live Stock Committee. A Bill for an Act entitled "An Act to amend Chapter 45 of the Laws of 1905, entitled 'An Act to foster, develop, protect and promote the Sheep Industry of the State of Montana, and to appoint a Board of Sheep Commissioners, and to appoint Inspectors and Deputy Inspectors and to define their duties and powers, and the duties and powers of the State Veterinary Surgeon in connection therewith, and to repeal an Act entitled 'An Act for the appointment of the Board of Sheep Commissioners, and to define their powers and duties', approved March, 1897, and Sections 3030 to Section 3046 inclusive, of the Political Code, covering the same subject, approved February 28, 1905, by amending Sections 3, 12, 15, 16, 17, 19, 24, and 27 to read as hereinafter set forth, and by adding thereto a Section as No. 32 relating to Buck Herds."

Referred to Committee on Stockgrowing and Grazing.

H. B. No. 197: By Weed A Bill for an Act entitled "An Act to provide for the publication of the certificate of the Auditor as to the Authority of Insurance Companies to transact business, and for the publication of a condensed statement of their condition in addition thereto.

Referred to Committee on Judiciary.

H. B. No. 120: By Marshall. A Bill for an Act entitled "An Act regarding Pool-rooms, Pool-selling, and registering of bets, and to punish the keeping of poolrooms, bookmaking and pool-selling and recording of bets, and to provide civil and criminal liabilities and penalties for the vioaltion of its provisions and civil actions for the recovery of money lost on any pool or bet, sold or registered contrary to this act, and repealing and prohibiting ordinances on the subject, and repealing acts in conflict herewith.

Referred to Committee on Public Morals.

H. B. No. 116. By Kirwan. A Bill for an Act entitled "An Act to regulate the size and manner of construction of all caboose cars used by any person, corporation, or company, within the State of Montana, and providing a penalty for the violation thereof."

Referred to Committee on Railroads and Transportation.

H. B. No. 9: By Tudor. A Bill for an Act entitled "An Act to create a highway Commission for the State of Montana, and defining the powers an duties of same. (Additional to Chapter IV, Part III, Title III, of the Code realting to the Agricultural College of Montana.)"

Referred to Committee on Roads, Highways and Bridges.

Moved by White that Senate adhere to its amendments on House Bill No. 129; and which amendment, the House refused to concur in.

Motion carried.

White moved that the request of the House for a conference on said Bill be granted; that the President of the Senate appoint a conference Committee of three, and that said Conference Committee be instructd to adhere to the Senate amendment to said Bill.

Motion carried, and the President appointed as such Committee, Senators White, Albright and Tooley.

The following notice of introduction of Bill was received:

By Donlan: A Bill for an Act entitled "An Act to amend Section 4 of substitute for Senate Bill No. 11, Session Laws of the Fifth Legislative Assembly of the State of Montana, relating to the salary of the Chief Clerk of the Bureau of Agriculture, Labor and Industry.

On motion of Miles Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

Rae in the Chair.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 19th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

S. B. No. 39 be indefinitely postponed.

That S. B. No. 83 do pass.

That S. B. No. 90 do pass.

That S. B. No. 81 be amended in Section 1, line 10 by inserting the word "good" before the word "conduct".

And that as amended the Bill do pass.

That S. J. R. No. 3 do pass.

That H. B. No. 249 be concurred in.

RAE, Chairman.

On motion of Rae report adopted.

S. B. No. 39 indefinitely postponed.

Senate Bills Nos. 83, 90, 81, S. J. R. No. 3 referred to Committee on Engrossed Bills.

H. B. No. 249 referred to calendar for third reading.

By unanimous consent rules were suspended and the following Bills were considered read a third time at length, read by title only:

S. B. No. 61 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Harper, Haviland, Long, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Edwards, Glidden, Martien, Romney.—4.

Title agreed to.

S. B. No. 65 passed by the following vote:

Ayes: Annin, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Haviland, Long, Glidden, Miles, McCarthy, McCone, McLean, Sanders, Truscott, White.—16.

Noes: Albright, Bielenberg, Harper, Martien, Metcalf, Muffly, McDonnell, Rae, Tooley.—9.

Absent and not voting: Edwards, Romney.—2.

Title agreed to.

H. B. No. 22 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—27.

Noes—None.

Absent not voting: None.

Title agreed to.

H. B. No. 134 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—27.

Noes—None.

Absent and not voting: None.

Title agreed to.

H. B. No. 1 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott.—26.

Noes: White.—1.

Absent and not voting: None.

Title agreed to.

Substitute for H. B. No. 47 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards,

Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—27.

Noes—None.

Absent and not voting: None.

Title agreed to.

S. B. No. 60 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—27.

Noes—None.

Absent and not voting: None.

Title agreed to.

H. B. No. 249 concurred in by the following vote:

Ayes: Albright, Cardwell, Donlan, Edwards, Fairbanks, Glidden, Harper, Haviland, Miles, Muffly, McCarthy, McCone, McLean, Romney, Sanders, Rae, Tooley, White.—18.

Noes: Annin, Bielenberg, Cowgill, Everett, Long, Martien, Metcalf, McDonnell, Truscott.—9.

Absent and not voting: None.

Title agreed to.

The Secretary was instructed to communicate with His Excellency, the Governor, informing him of the passage by the Senate and concurrence by the House in Senate Concurrent Resolution No. 5.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

FORTY-FIFTH DAY

Helena, Montana, February 20th, 1907.

Senate convened at 10:30 A. M.

President in the Chair.

Prayer by the Chaplain.

Journal read and approved.

Long reported for roll call.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 20th, 1907.

Mr. President:

Your Committee on Stockgrowing and Grazing to whom was referred Senate Bill No. 97 beg leave to report as follows:

That they have had said Bill under consideration and recommend that the same do pass.

BIELENBERG, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 20th, 1907.

Mr. President:

Your Steering Committee recommends that the following Bills on General File be considered to-day: S. B. No. 69, S. B. No. 94, S. B. No. 96, S. B. No. 98.

Respectfully,

DONLAN, Chairman.

Report adopted and Bills placed on General File.

Senate Chamber, Helena, Montana, February 20th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred House Bills numbered 34 and 122 beg leave to report as follows:

We have had the same under consideration and recommend that the same be concurred in.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 20th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill No. 5, being a Bill for an Act entitled "An Act to amend Section 180 of the Code of Civil Procedure, relating to the disqualification of Judges, as amended by Act approved December 10, 1903", beg leave to report:

That they have duly considered said Bill, and respectfully recommend that it be indefinitely postponed.

WHITE, Chairman.

On motion of White report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 19th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred House Bill No. 232, being a Bill for an Act entitled "An Act to amend Section 1080 of the Code of Civil Procedure of Montana, and to repeal an Act approved February 15th, 1901, relating to method of procedure in the trial of Civil actions and review by the Supreme Court or errors in instructions".

Also, House Bill No. 234, being a Bill for an Act entitled "An Act relating to Bills of exemptions and statements of the case, providing that the exemptions of the prevailing party shall be incorporated therein, and providing for review by the Supreme Court on appeal of such exemptions and the orders and ruling relating thereto.

Also, House Bill No. 235, being a Bill for an Act entitled "An Act to amend Section 1172 of the Code of Civil Procedure of Montana; to amend Section 1173 of the Code of Civil Procedure of Montana, as amended by an Act of the Ninth Legislative Assembly, entitled 'An Act to amend Sections 1152 and 1173 of the Code of Civil Procedure of Montana' approved March 4, 1905, and to amend Sections 1174 and 1176 of the Code of Civil Procedure of Montana, relating to practice on motions for a new trial.

Also, House Bill No. 236, being a Bill for an Act entitled: "An Act to amend Section 637 of the Code of Civil Procedure of the State of Montana, relating to publication of summons.

Also, House Bill No. 237, being a Bill for an Act entitled "An Act to amend Sections 1736, 1738 and 1739 of the Code of Civil Procedure of the State of Montana, relating to appeals to the Supreme Court".

Also, House Bill No. 159, being a Bill for an Act entitled "An Act to amend Section 3162 of the Code of Civil Procedure as the same was amended by an Act of the Fifth Legislative Assembly of the State of Montana, approved February 19th, 1897, relating to witnesses."

Also, House Bill No. 167, being a Bill for an Act entitled "An Act to add to Chapter LV, Title V, Part 2, Code of Civil Procedure, a Section to be known as Section 644 providing the time within which returns of summons and other processes and orders must be made and filed after service".

Also, House Bill No. 213, being a Bill for an Act entitled "An Act relating to the provisions of Life Insurance Policies".

Also, House Bill No. 123, being a Bill for an Act entitled "An Act defining the status of persons soliciting Life Insurance".

Also, House Bill No. 132, being a Bill for an Act entitled "An Act to prohibit misrepresentation by Life Insurance Companies".

Also, House Bill No. 197, being a Bill for an Act entitled "An Act to provide for the publication of the Certificates of the Auditor as to the Authority of Insurance Companies to transact business, and for the publication of a condensed statement of their condition in addition thereto".

Beg leave to report and recommend that the said Bills be concurred in.

WHITE, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, February 20th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 217, being a Bill for an Act entitled "An Act to provide for the support of the Government of the State of Montana for the years 1907 and 1908", having had the same under consideration recommend that it be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 20th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 210, being a Bill for an Act entitled "An Act appropriating money for the payment of deficiency claims of the State Encampment of 1905 of the National Guard of Montana", having had the same under consideration recommend that it be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted, and Bill referred to General File.

Senate Chamber, Helena, Montana, February 20th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 174, being a Bill for an Act entitled "An Act providing for the redemption and payment of County School District, City and Town Bonds held by the State before the maturity thereof, having had the same under consideration recommend that it be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted, and Bill referred General File.

Senate Chamber, Helena, Montana, February 20th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill numbered 206, being a Bill for an Act entitled "An Act appropriating money for the payment of deficiency claims in maintenance of Capitol building", having had the same under consideration recommend that it be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted, and Bill referred General File.

Senate Chamber, Helena, Montana, February 20th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill No. 207, being a Bill for an Act entitled "An Act appropriating money for the payment of deficiency claims account of Supreme Court, having had the same under consideration recommend that it be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 20th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 178, being a Bill for an Act entitled "An Act to provide for the payment of the actual necessary expenses of Judges of the District Court when holding Court in his District in any County not the County of residence of such judge, beg leave to report that they have duly considered said Bill and respectfully recommend that it be not concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 19th, 1907

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 161, being a Bill for an Act entitled "An Act to amend Section 66 of the Code of Civil Procedure of the State of Montana respecting the civil jurisdiction of Justices of the Peace, beg leave to report:

That they have duly considered said bill and respectfully recommend that it be not concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 19th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 100 being a Bill for an Act entitled "An Act to prohibit persons not legally admitted to practice law in the courts of the State of Montana from holding themselves out to be lawyers or in any manner whatsoever using the title of lawyer, attorney, conveyancer or the equivalent thereof, and fixing a penalty for the infraction thereof, beg leave to report that they have duly considered said Bill and respectfully recommend that it do pass.

WHITE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 19th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred House Bill No. 164, being a Bill for an Act entitled "An Act to amend Section 842 of the Penal Code of the State of Montana, beg leave to report:

That they have duly considered said Bill and respectfully recommend that the Bill be amended by striking out the words "Section 842" in Section 1, and insert in place thereof the words "Section 846" and as amended that the said Bill be concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 20th, 1907.

Mr. President:

Your Committee on Roads, Highways and Bridges, have had under consideration House Bill No. 169 and recommend that the same be concurred in as amended. Amend Section 2334, line 5, by striking out after the word "and" the following: "the finding of the commission to fix the damages, or the decree of court opening", and inserting in lieu thereof the following "The order of condemnation for". Also, amend Section 2234, line 11, by striking out all of said Section after the word "interest" and inserting in lieu thereof the following: Provided that no lands or grounds shall be taken for such temporary logging roads, or banking grounds for a period of time longer than five years, and when taken for a period of time exceeding one year the amount of damage for each year shall be fixed separately and the amount fixed for each particular year must be paid on or before the first day of January of such year, and in the event that the amount so fixed for any one year is not paid as herein specified, then and in that event, the use of such land shall revert to the party from whom the same was taken, or to his successor in interest".

Also, amend Section 2235, line 30, by inserting after the word "not" the word "finally".

Also amend by striking out all of Section 2.

COWGILL, Chairman.

Report adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 20th, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bills numbered 66, 68, 78 and 84, and Senate Joint Resolution No. 3, beg leave to report as follows: That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills referred to Calendar for third reading.

Referring back to the third order of business a petition from residents of Flathead County, petitioning the passage of Substitute for House Bill No. 45 was received, read, and referred to Committee on Irrigation and Water Rights.

Also, a petition from citizens of Broadwater County petitioning the passage of Substitute for House Bill No. 45, was received, read, and referred to Committee on Irrigation and Water Rights.

Following communication from His Excellency, the Governor was received and read:

Executive Office, Helena, Montana, February 19, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana.

Pursuant to Senate Concurrent Resolution No. 5, I herewith return to the Senate Senate Bill No. 32 for the purpose of enabling the Senate to correct an error in the Enrollment of the same.

J. K. TOOLE, Governor.

Following communications from the House received and read:

House of Representatives, Helena, Montana, February 19th, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that Senate Bills Nos. 1, 8, 14, 15, 20 and 21 have been read a third time and concurred in, as amended and are herewith returned.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 19th, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that the following Notices of Bills were this day received:

By Weed. A Bill for an Act providing for the custody of relatives or the detention in the State Asylum for the insane, or the State Penitentiary of persons who are criminally insane, when acquitted upon trial by jury upon the ground of insanity.

By Marshall. A Bill for an Act to authorize the Secretary of State to purchase five hundred copies of the Codes of Montana in force July 1st, 1895, and making an appropriation therefor.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 19th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following notices of Bills were this day received:

By Logan. A Bill regulating the season for the killing of deer.

By Allen. A Bill entitled "An Act to create the County of Daly, designate its boundaries and provide for its organization and government.

By Gray. A Bill for an Act to provide for the distribution among the various counties entitled thereto, of the fund derived from Forest Reserve.

By Griffin. A Bill regulating and prescribing the hours of labor and work of the guards and employees of the State Penitentiary as constituting a day's work.

By Allen: A Bill for an Act entitled "An Act appropriating money from the General Fund to be placed to the credit of the Stock Indemnity Fund.

By Miller of Park. A Bill for an Act prohibiting the publication in newspapers or otherwise of offensive, improper and obscene matter and providing for prosecution and penalties.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 20th, 1907

Mr. President:

I am directed by the House to inform your Honorable body that the following committee was appointed by the Speaker to confer with a like com-

mittee from the Senate, in Senate Bill No. 129: Marshall, Miller of Park, and Weed.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 19th, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that the following bills were this day introduced and read first and second times:

By Scallon, H. B. No. 359. A Bill for an Act to amend Section 410 of the Civil Code relating to the purchase of property and the issuance of stock of corporations in payment of property purchased.

By Warren, H. B. No. 360. A Bill for an Act entitled "An Act regulating the hours of labor in State institutions.

By Shaw, by Request. H. B. No. 361. A Bill for an Act for levy of special tax on fruit trees, and how it shall be collected and disbursed and to be known as the Horticultural fund.

By Shaw, by request, H. B. No. 362. A Bill for an Act entitled "An Act to amend Section 9 of an Act entitled "An Act to create the Montana State Board of Horticulture, to prescribe its duties and powers and to appropriate money therefor, approved February 17th, 1899, and as amended by the Act March 14, 1901, and as amended by the Act March 6th, 1903, and as amended by the Act March 3, 1903.

By Barbour, by request, H. B. No. 363. A Bill for an Act entitled "An Act to amend Section 1, subdivision 2, of Section 2, subdivision 4 and 6 of Section 15, of an Act entitled "An Act to create the office of Meat and Milk Inspector for the State of Montana, and prescribing their powers and duties and compensation therefor, and repealing all acts and parts of acts in conflict herewith.

By Committee on Appropriations, H. B. No. 364. A Bill for an Act to pay the employees of the Senate and House, as provided in Section 209, part III, title I, chapter II, article V of the Political Code of the State of Montana.

By Decker, H. B. No. 365. A Bill for an Act authorizing and empowering the Carey Land Act Board to secure cancellation of bonds issued for the reclamation of arid lands, under the Carey Congressional Act, and accept bonds in payment for canals, water rights, lands and appurtenances, and execute deeds therefor, and to compromise claims and make contracts for the reclamaiton and settlement of said arid lands.

By Shaw, Tudor and Weed, H. B. No. 366. A Bill for an Act entitled "An Act to create and establish a Board of Railroad Commissioners for the State of Montana, providing for the appointment and election of the members thereof, and defining their powers and duties, and providing remedies for the enforcement of the provisions of this Act and penalties for the violation thereof.

By Maxwell, by request, H. B. No. 367. A Bill for an Act to amend Section 448 of the Civil Code of the State of Montana as amended by an Act entitled "An Act to amend Section 448 of the Civil Code of the State of Montana relating to the meetings of stockholders and Board of Directors of Corporations" approved February 24th, 1899, relating to the meetings of stockholders and board of directors of corporations.

By Maxwell, by request, H. B. No. 368. A Bill for an Act entitled "An

Act appropriating money for the reimbursement of organized water users' associations for fees paid the Secretary of State on filing articles of incorporation and issuance of certificate of incorporation prior to the passage and approval of an Act entitled "An Act providing that water users' associations organized in conformity with the requirements of the laws of the United States and the State of Montana for the furnishing of water only to its shareholders shall be exempt from incorporation tax, annual franchise tax, and fixing the fee required to be paid to the Secretary of State for filing and recording such articles and issuing certificates of incorporation.

By Committee on Live Stock and Public Ranges, H. B. No. 369. A Bill for an Act entitled "An Act providing for the disposition of moneys received from the sale of estrays.

By Brownlee, H. B. No. 370. A Bill for an Act to repeal House Bill No. 147, Session Laws of the Seventh Legislative Assembly, providing for the appointment of State Game and Fish Warden and to repeal Chapter 57, Session Laws of 1905, relating to Fish and Game licenses, and to provide for the disposition of money remaining in the Fish and Game Fund, to provide the licensing of non-resident hunters and penalties for the violation of Fish and Game Laws, and making it the duty of the sheriff and deputy sheriffs to enforce the fish and game laws.

By Griffin, H. B. No. 371. A Bill for an Act permitting the killing of beaver at all seasons of the year.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 19th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 19, have been read a third time and passed by the House and are herewith transmitted to your Honorable body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 19th, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that Senate Bill No. 38 has been read a third time and as amended concurred in by the House and is herewith returned

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 19th, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that Senate Bills Nos. 24 and 44 have been read a third time and concurred in by the House and are herewith returned.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 19th, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that Senate

Bill No. 37, has been read a third time and concurred in by the House and is herewith returned.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 20th, 1907

Mr. President:

I am directed by the House to inform your Honorable body that House Bills Nos. 158, 208, and 231 have been read a third time and passed by the House and are herewith transmitted to your Honorable body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 20th, 1907

Mr. President:

I am directed by the House to inform your Honorable body that Senate Joint Memorial No. 1 and Senate Joint Resolution No. 1 have been read a third time and concurred in by the House and are herewith returned.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House amendments to Senate Bill No. 1 were on motion of White concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes.—None.

Absent and not voting.—Cardwell, Fairbanks.—2.

Senate Bill No. 1 referred to Committee on Enrolled Bills.

On motion of White Senate refused to concur in House amendments to Senate Bill No. 8 by the following vote:

Ayes.—Albright, Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes.—None.

Absent and not voting.—Cardwell, Fairbanks.—2.

Miles moved that a conference be requested and that the President of the Senate appoint a conference committee of three Senators to confer with a like committee of the House concerning said amendments.

Motion carried.

President appointed Miles, White and Long as such conference committee.

On motion of White, Senate refused to concur in amendments to Senate Bill No. 14 by the following vote:

Ayes.—Albright, Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes.—None.

Absent and not voting.—Cardwell, Fairbanks.—2.

Martien moved that a conference be requested and that the President of

the Senate appoint a conference committee of three Senators to confer with a like Committee of the House concerning said amendments.

Motion carried.

President appointed Martien, Albright, and Donlan as such committee.

House amendments to Senate Bill No. 15 were on motion of Annin concurred in by the following vote:

Ayes.—Albright, Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White. —25.

Noes.—None.

Absent and not voting.—Cardwell and Fairbanks.—2.

Senate Bill No. 15 referred to Committee on Enrolled Bills.

House amendments to Senate Bill No. 20 were on motion of White concurred in by the following vote:

Ayes.—Albright, Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Glidden, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes.—None.

Absent and not voting.—Cardwell, Fairbanks, Harper.—3.

S. B. No. 20 referred to Committee on Enrolled Bills.

House amendments to Senate Bill No. 38 were on motion of Miles concurred in by the following vote:

Ayes, Albright, Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes.—None.

Absent and not voting.—Cardwell, Fairbanks, McDonnell.—3.

S. B. No. 38 referred to Committee on Enrolled Bills.

Senate Bills Nos. 24, 27, 44, S. J. R. No. 1 and S. J. M. No. 1 referred to Committee on Enrolled Bills.

By unanimous consent rules were suspended and Donlan, McLean and Martien were allowed to introduce bills without previous notice.

Following bills were read a first and second times:

S. B. No. 109, by Donlan. A Bill for an Act entitled, "An Act to amend Section 4, of Substitute for Senate Bill No. 11, Session Laws of the Fifth Legislative Assembly of the State of Montana, relating to the salary of the Chief Clerk of the Bureau of Agriculture, Labor and Industry".

Referred to Committee on Finance and Claims.

S. B. No. 110, by Martien. A Bill for an Act entitled, "An Act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition of property of any corporation, joint stock association, co-partnership or individual, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds or property or any part thereof of said corporation, joint stock association, co-partnership or an individual, than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor".

Referred to Committee on Corporations other than Municipal.

S. B. No. 111, by Everett. A Bill for an Act entitled, "An Act relating to the bonds issued in the State of Montana by foreign surety companies".

Referred to Committee on Corporations other than Municipal.

S. B. No. 112, by McLean. A Bill for an Act to amend an Act approved March 6, 1903, entitled, "An Act to amend Section 5117, Part IV, Title III, Chapter VIII, Article II, of the Political Code of the State of Montana, relating to the duties and authority of the trustees of townsites.

Referred to Committee on Counties, Towns and Municipal Corporations.

S. B. No. 113, by Donlan. A Bill for an Act fixing the compensation and expenses of the State Game and Fish Warden and also the salary of Clerk in the State Game and Fish Warden's Office, and providing fees for Deputy State Game and Fish Wardens who are serving without salary.

Referred to Committee on Fish and Game.

By unanimous consent rules were suspended and Miles was allowed to introduce a bill without previous notice.

S. B. No. 114, by Miles. A Bill for an Act to amend Chapter XII of Title X of Part III of the Political Code, by adding thereto a section to be known as Section number 4027.

Referred to Committee on Judiciary.

By unanimous consent rules were suspended and the following bills were read a first and second time by title only:

H. B. No. 81, by A. H. Gray. A Bill for an Act entitled, "An Act to empower the City Council or Legislative bodies of any city, town or village to regulate the rates and charges to be allowed corporations, or individuals for furnishing water, gas or electricity to any such city, town or village, or the inhabitants thereof, and to fix the maximum rate therefor".

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 158, by Marshall. A Bill for an Act entitled, "An Act appropriating money for the eerction and completion of a library building for the University of Montana at Missoula, Montana, for enlarging the heating plant and connecting same with the library building, and for cement walks necessary to connect said library with other buildings at said University and with the street, and for certain improvements on the University Grounds."

Referred to Committee on Finance and Claims.

H. B. No. 208, by Committee on Appropriations: A Bill for an Act entitled, "An Act appropriating money for the payment of deficiency claim of connection with the office of Attorney General".

Referred to Committee on Finance and Claims.

H. B. No. 231, by McManus. A Bill for an Act entitled, "An Act appropriating money for the Montana State School of Mines located at Butte, Montana, for the erection and equipment of a boiler plant and of a metallurgical plant for said school".

Referred to Committee on Finance and Claims.

H. B. No. 320, by Committee on Appropriations. A Bill for an Act entitled, "An Act appropriating money for the payment of deficiency claim of Rocky Mountain Bell Telephone Company account of Fish and Game Fund".

Referred to Committee on Finance and Claims.

Referring back to the second order of business, Judiciary Committee reported as follows:

Senate Chamber, Helena, Montana, February 19th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred H. B. No. 35, being a Bill for an Act entitled, "An Act to amend H. B. No. 143 of the Session Acts of the Seventh Legislative Assembly of the State of Montana of the year 1901, being an Act entitled, "An Act to amend Section 32, Title I, Part I, Chapter IV of the Code of Civil Procedure and to provide for an additional Judge for the Second Judicial District of the State of Montana, and to provide for an additional Judge for the Fourth Judicial District of the State of Montana", beg leave to report, that they have duly considered said Bill and respectfully recommend that the Bill be amended as follows:

Strike out all of Section 1 and insert in lieu thereof as follows:

Section I. That Section I of said Act entitled, "An Act to amend Section 32, Title I, Part I, Chapter IV, Code of Civil Procedure, which provided for an additional Judge for the Second Judicial District of the State of Montana" be and the same is hereby amended so as to read as follows:

Section I. That Section 32, Title I, Part I, Chapter IV, of the Code of Civil Procedure be amended so as to read as follows: Section 32. In each Judicial District there must be a Judge of the District Court, who must be elected by the qualified voters of the District, and whose term of office is four years. In the first district there must be one Judge, and in the Second there must be three Judges, and in the Fourth District there must be two Judges, and as amended recommend that the Bill be concurred in.

WHITE, Chairman.

On motion of White report adopted and the Bill referred to General File

The following communication from the House was received and read:

House of Representatives, Helena, Montana, February 20th, 1907

Mr. President:

I am directed by the House to inform your Honorable Body that H. B. No. 320 has been read a third time and passed by the Houes and is herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

Rae moved that the vote by which Senate concurred in H. B. No. 249 be reconsidered, Donlan moved that the motion to reconsider be laid on the table. The vote on motion to lay on the table was, on division, twelve for and twelve against, lost, the President voting against the motion to lay on the table.

The motion of Rae, to reconsider, was on division, lost.

On motion of Long Senate Concurrent Resolution No. 6 was withdrawn from the Committee on Engrossed Bills and re-referred to General File.

Annin moved that the House be requested to return to the Senate S. B. No. 82 for correction.

Senate Concurrent Resolution No. 7, by McCone:

Be it Resolved by the Senate, the House concurring, that the action of the President of the Senate and the Speaker of the House in signing S. B. No. 32, being An Act to repeal the Primary Election Law, be, and the same is hereby rescinded, and that the said Bill be re-referred to the Enrolling Committee of the Senate, with instructions to correctly enroll said Bill by inserting in the title thereof the words, "An Act to repeal an Act entitled".

On motion of White the resolution was adopted and the Secretary instructed to transmit same to the House for its concurrence.

By unanimous consent rules were suspended and Miles was allowed to introduce a Bill without previous notice.

By unanimous consent rules were suspended and the following Bill was read a first and second time by title only:

S. B. No. 115, by Miles. An Act permitting residents and non-residents of Montana to fish without a license; permitting forestry officers to secure a resident's hunting license; providing extra Deputy Game and Fish Wardens; designating the Secretary of State to furnish license blanks and providing additional duties for the State Game and Fish Warden.

Referred to Committee on Fish and Game.

On motion of Donlan, Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

Martien in the Chair.

Committee arose.

Senate resumed.

President in the Chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 20th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend: That

S. B. No. 69 do pass.

That S. B. No. 94 do pass.

That S. B. No. 96 do pass.

That S. B. No. 98 do pass.

MARTIEN, Chairman.

Report adopted, and Senate Bills Nos. 69, 94, 96 and 98 referred to Committee on Engrossed Bills.

After giving notice President signed House Bills Nos. 249, 1, 104, 172, 130, and 148.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

FORTY-SIXTH DAY

Helena, Montana, February 21st, 1907.

Senate convened at 10:30 A. M.

President in the Chair.

Roll called, Quorum present.

Prayer by the Chaplain.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 21st, 1907.

Mr. President:

Your Steering Committee recommend the following Bills on General File to be considered to-day: House Bills Nos. 24, 25, 122, 123, 132, 164, 167, 174,

197, 206, 207, 210, 215, 217, 232, 234, 235, 236, 237, and Senate Joint Resolution No. 6.

Respectfully submitted,

DONLAN, Chairman.

Senate Chamber, Helena, Montana, February 21st, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred Senate Bill No. 112 beg leave to report as follows:

We have had the same under consideration and recommend that the same do pass.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 21st, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bills numbered 1, 24, 38, 27, and Senate Joint Resolution No. 1, beg leave to report as follows:

That the same have been correctly enrolled.

Respectfully submitted,

RAE, Chairman.

Senate Chamber, Helena, Montana, February 21st, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bills numbered 74, 81, 94, 90, 96 and 98, beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills referred to Calendar for third reading.

In accordance with motion in the Senate instructing the Secretary to appoint two Stenographers, the Secretary has this day appointed as second Stenographer, Miss Amelia Briedenbach to be clerk to the following Committees:

Finance and Claims.

Public lands.

Counties, Towns and Municipal Corporations.

Following Communications from the House were received and read:

House of Representatives, Helena, Montana, February 20th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the action of the House in Senate Bill No. 8 has been reconsidered, and request that the Bill be returned for further action.

Respectfully,

NATHAN GODFREY, Chief Clerk.

The Conference Committee instructed to return said S. B. No. 8 to the Secretary for the purpose of transmitting the same to the House.

House of Representatives, Helena, Montana, February 20th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Notices of Bills were this day received:

By Shaw: A Bill for an Act to regulate the employment of child labor and to otherwise protect children.

By Thompson of Sanders: A Bill entitled "A Bill for an Act to provide for the payment of bounties for the killing of certain birds of prey and appropriating money for the payment thereof, and also prescribing penalties for making false claims.

By Thompson of Sanders: A Bill entitled "A Bill for an Act providing for a license on dogs and prescribing penalties.

By Root: A Bill for an Act entitled "An Act making it lawful for any person owning or having sheep in charge to herd or permit the same to be herded on the land or promissory claims of other persons, or to herd the same or permit the same to be herded or grazed within two miles of the dwelling house of the owner of any land or promissory claim".

By Morgan: A Bill for an Act providing for temporary floors and safe scaffoldings in buildings during the erection thereof, for the protection of persons working therein.

By Morris: A Bill for an Act to provide for the sale by the State of the lands acquired under and by virtue of Chapter 118 Session Laws 1903, approved March 7, 1903.

By Cummings: A Bill for an Act entitled "An Act appropriating money for the payment of claim of L. B. Stark for $160.00 erroneously paid the State by him under a void lease of State Lands.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 20th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Shaw, Tudor and Weed: H. B. No. 372: A Bill for an Act entitled "An Act appropriating the sum of Fifty Thousand Dollars, or so much thereof as may be necessary, for the payment of salaries and other necessary expenses of the State Board and Ware House Commission and its employees."

By Shaw: H. B. No. 373. A Bill for an Act entitled "An Act appropriating the sum of Five Thousand Dollars, or so much thereof as may be necessary for the construction of a brick sidewalk on the State Capitol grounds.

By Seidler: H. B. No. 374. A Bill for an Act to provide for the publication of public acts of Legislative Sessions and appropriating money to defray the cost thereof.

By Allen, by Request: H. B. No. 375. A Bill for an Act entitled "An Act to create the County of Daly, designate its boundaries, and provide for its organization and government.

By Allen: H. B. No. 376. A Bill for an Act entitled "An Act appropriating money from the General Fund to be placed to the credit of the Stock Indemnity Fund.

By Seidler: H. B. No. 377. A Bill for an Act entitled "An Act to repeal Section 681 of the Civil Code of the State of Montana respecting the taxation of Insurance Companies on their Excess Premiums.

By O'Connor: H. B. No. 378. A Bill for an Act entitled "An Act to amend Section 3498 of the Political Code as enacted by House Bill No. 45, ap-

proved March 1, 1899, relating to the investment of the permanent School Fund, and the permanent funds of the State Institutions of learning.

By Logan: H. B. No. 379. A Bill for an Act providing an open and closed season for the killing of deer.

By Marshall: H. B. No. 380. A Bill for an Act entitled "An Act to authorize the Secretary of State to purchase Five Hundred (500) copies of the complete Codes and Statutes of the State of Montana, in force July 1, 1895, and making an appropriation therefor".

By Committee on State Institutions, Public Buildings and Grounds: House Joint Resolution No. 8: In reference to contract to be let for furnishing water for the State Capitol.

By Wendel: H. B. No. 381. A Bill for an Act to authorize the outstanding of disputed evidence of indebtedness of Cities and towns issued for municipal purposes and now held or owned by bona fide holders thereof for value, and the issuing of funding bonds therefor.

By Weed: H. B. No. 382. A Bill for an Act providing for the custody by relatives or the detention in the State Asylum for the insane or the State Penitentiary of persons who are criminally insane when acquitted upon trial by jury on the ground of insanity.

By Cluston: H. B. No. 383: A Bill for an Act entitled "An Act to create the office of State Railway Track and Road Bed Inspector for the State of Montana, and prescribing his powers and duties.

By Cummings: H. B. No. 384. A Bill for an Act appropriating money for the payment of the claim of L. B. Stark for $160.00 erroneously paid the state by him under a void lease of lands.

By Potter: H. B. No. 385. A Bill for an Act entitled "An Act to repeal an Act to amend Sections 3070, 3071, 3072, 3076, of the Political Code of Montana, as amended by an Act approved March 6th, 1903, relating to the bounties for the killing of certain wild animals, Approved March 1, 1905".

By Committee on Fairs and Expositions: H. B. No. 386. A Bill for an Act entitled "An Act creating a Commission to provide for the display of the resources of Montana, at the Alaska-Yukon, Pacific Exposition in Seattle, Washington, in 1909, and to define its duties and powers, and to make an appropriation therefor."

H. B. No. 387. A Bill for an Act entitled "An Act appropriating money for the payment of certain claims for expenses incurred by the Committee appointed to investigate the car and coal shortage in Montana.

By Committee on Appropriations: H. B. No. 388. A Bill for an Act appropriating money for the payment of the claim of S. A. D. Hahn for services.

By Morris: H. B. No. 389. A Bill for an Act entitled "An Act relating to the licensing of peddlers and canvassers of Agricultural and Domestic Implements and Machinery, and other articles and to repeal Chapter LVI of the Laws of 1903, relating to the same.

By Miller of Park, by Request: H. B. No. 390, A Bill for an Act appropriating money for the payment of a balance due on mileage allowed by law to sheriffs for transporting prisoners to the State Prison during the years 1903 and 1904.

Respectfully,

NATHAN GODFREY, Chief Clerk.

Following communication from His Excellency, the Governor, received and read:

Executive Office, Helena, Montana, February 21, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana.

I hereby withdraw the name of David McGillivary heretofore sent to the Senate as Sheep Commissioner for Rosebud County, and in lieu thereof I hereby nominate, with the consent of the Senate, for said office Thomas E. Hammond, of Rosebud County.

I also nominate with the consent of the Senate, as members of the Board of Trustees of the Miscellaneous Division of the State Historical Society, Massena Bullard, Norman B. Holter, A. I. Loeb, and J. M. Boardman, of Lewis and Clark County, and David Hilger of Fergus County.

All of said appointments are for the term of two years.

J. K. TOOLE, Governor.

On motion of Donlan the above appointments were confirmed and approved by the Senate.

By unanimous consent rules were suspended, and White allowed to introduce several Bills without previous notice.

By unanimous consent rules were suspended and the following Bills read first and second times by title only:

S. B. No. 116: By Donlan. A Bill for an Act entitled "An Act to provide for a State Board of Water, Light, Telephone and Telegraph Commissioners, and defining their powers and duties, providing penalties and appropriating money for the said board.

Referred to Committee on Counties, Towns and Municipal Corporations.

S. B. No. 117: By White. A Bill for an Act entitled "An Act to prohibit the use of Trust Company and Savings Bank Titles unless the Company causing such title is incorporated and under the Trust, Deposit and Security, and Savings Bank Corporation Laws of Montana.

Referred to Committee on Judiciary.

S. B. No. 118: By White. A Bill for an Act entitled "An Act to amend Section 472 of the Civil Code of Montana relating to corporations".

Referred to Committee on Judiciary.

S. B. No. 119: By White. A Bill for an Act appropriating money for the payment of the principal and interest on all outstanding bonds of the Educational Institutions of the State of Montana.

Referred to Committee on Finance and Claims.

S. B. No. 120: By White. A Bill for an Act to amend Section 601 of the Code of Civil Procedure of Montana relating to liability of stockholders.

Referred to Committee on Judiciary.

S. B. No. 121: By White. A Bill for an Act entitled "An Act concerning Notaries Public who are stockholders, directors, officers or employees of banks or other corporations.

Referred to Committee on Judiciary.

S. B. No. 122: By White. A Bill for an Act entitled "An Act prescribing the conditions upon which foreign corporations or Joint Stock companies may carry on the business of Banking in the State of Montana; regulating them, and providing penalties and punishments for violation of its provisions and repealing 'An Act regulating foreign corporations, and joint stock companies doing a Banking business within the State of Montana, and prescribing penalties

and punishments for violations of the provisions thereof, approved March 7, 1905".

Referred to Committee on Judiciary.

Committee on Engrossed Bills reported as follows:

Senate Chamber, Helena, Montana, February 21st, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 69, beg leave to report as follows:

That the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for third reading.

Rae moved that Senate refuse to concur in House Amendments to Senate Bill No. 21.

McCarthy moved as an amendment to the motion that Senate concur in the House amendments to Senate Bill No. 21.

The amended motion carried by the following vote:

Ayes: Albright, Bielenberg, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, McCarthy, McCone, McDonnell, McLean, Sanders, Truscott, White.—19.

Noes: Annin, Cardwell, Edwards, Rae, Romney, Tooley.—6.

Absent and not voting: Miles, Muffly.—2.

Thereupon the original motion as amended was carried by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Truscott, White.—22.

Noes: Edwards, Rae, Tooley.—3.

Absent and not voting—Miles, Muffly.—2.

S. B. No. 21 referred to Committee on Enrolled Bills.

After giving notice the President signed House Bills Nos. 134 and 47. Senate Bills Nos. 1, 27, 38, 24, S. J. R. No. 1.

Long moved to reconsider the vote by which the report of the Committee was adopted on H. B. No. 161.

Motion carried.

On motion of White the Secretary was instructed to notify the House of the reconsideration by the Senate of H. B. No. 161, and to request said Bill be returned to the Senate.

On motion of White S. B. No. 73 was withdrawn from the Committee on Engrossed Bills and re-referred to Committee on Stockgrowing and Grazing.

S. C. R. No. 8, by Donlan: Be it Resolved by the Senate, the House concurring, that three Senators be appointed by the President of the Senate, and three representatives be appointed by the Speaker of the House, who shall constitute a Joint Committee of the Tenth Legislative Assembly to investigate the State Penitentiary, and the manner of conducting the same, the advisability and necessity of making repairs, additions and alterations in the Buildings and equipment of said Penitentiary, and to make such recommendations as may, to said Committeee, seem necessary.

Be it further Resolved, That said Committee be, and it hereby is authorized and empowered to take testimony, subpoena and swear witnesses and generally

to have such authority and power as may be necessary to carry out the purposes for which said Committee is appointed.

On motion of Donlan the above resolution was adopted, and the President appointed Donlan, McDonnell and McCarthy as such committee.

Standing committees reported as follows:

Senate Chamber, Helena, Montana, February 20, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, to whom was referred S. B. No. 93, beg leave to report as follows:

That they have had the same under consideration and report back that the same be amended by inserting after the word "Montana" the following: "an having power for sale" and respectfully recommend that the Bill be printed.

Respectfully submitted,

MILES, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 20, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, to whom was referred S. B. No. 110, beg leave to report as follows:

That they have had the same under consideration and report the same back with the recommendation that the same do pass.

Respectfully submitted,

MILES, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 20, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, having duly considered Senate Bill No. 106 report the same back with the recommendation that further consideration of said Bill will be indefinitely postponed.

MILES, Chairman.

On motion of Miles report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 20, 1907.

Mr. President:

Your Committee on Corporations other than Municipal to whom was referred Senate Bill numbered 101 beg leave to report as follows:

That they have had the same under consideration and report the same back with the recommendation that the same do pass.

Respectfully submitted,

MILES, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 11th, 1907.

Mr. President:

Your Committee on Irrigation and Water Rights to whom was referred S. B. No. 52 introduced by Edwards, for the establishment of Irrigation Ditches, beg to report same back with a recommendation that it do not pass.

EVERETT, Chairman.

On motion of Everett report adopted and Bill indefinitely postponed.

On motion of Donlan Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

Everett in the Chair.

Committee arose.

Senate resumed.

President in the Chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 21st, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that

H. B. No. 34 be not concurred in.

That H. B. No. 35 be concurred in.

That H. B. No. 122 be amended in Section I by inserting in line 2 after the word "necessary" the word "travelling",

And that as amended the Bill be concurred in.

That H. B. No. 123 be concurred in.

That H. B. No. 132 be concurred in.

That H. B. No. 164 be amended in the title by inserting the figures "846" in place of "842".

And that as amended the Bill be concurred in.

That H. B. No. 167 be concurred in.

That H. B. No. 174 be concurred in.

That H. B. No. 197 be concurred in.

That H. B. No. 206 be concurred in.

That H. B. No. 207 be concurred in.

That H. B. No. 210 be concurred in.

That H. B. No. 213 be concurred in.

That H. B. No. 217 be concurred in.

That H. B. No. 232 be concurred in.

That H. B. No. 234 be concurred in.

That H. B. No. 235 be concurred in.

That H. B. No. 236 be concurred in.

That H. B. No. 237 be concurred in.

EVERETT, Chairman.

On motion of Donlan report adopted.

H. B. No. 34 indefinitely postponed.

House Bills Nos. 35, 122, 123, 132, 164, 167, 174, 197, 206, 207, 210, 213, 217, 232, 234, 235, 236, and 237 referred to Calendar for Third Reading.

By unanimous consent rules were suspended and the following Bills considered read a third time at length, read by title only:

S. B. No. 66 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes.—None.

Absent and not voting: Muffly.

Title agreed to.

Substitute for S. B. No. 68 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles,

McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: Muffly.—1.

Title agreed to.

S. B. No. 78 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Noes.—None.

Absent and not voting: Albright, Donlan, Martien, Muffly.—4.

Title agreed to.

S. B. No. 84 passed by the following vote:

Ayes: Albright, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Noes.—None.

Absent and not voting: Annin, Donlan, Martien, Muffly.—4.

Title agreed to.

S. J. R. No. 3 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes.—None.

Absent and not voting: Donlan, Muffly.—2.

Title agreed to.

S. B. No. 74 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Noes.—None.

Absent and not voting: Albright, Donlan, Glidden, Muffly.—4.

Title agreed to.

H. B. No. 81 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Albright, Donlan, Muffly.—3.

Title agreed to.

S. B. No. 90 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Albright, Donlan, Muffly.—3.

Title agreed to.

S. B. No. 94 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks,

Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Albright, Donlan, Muffly.—3.

Title agreed to.

S. B. No. 96 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Albright, Donlan, Muffly.—3.

Title agreed to.

S. B. No. 98 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Albright, Donlan, Muffly.—3.

Title agreed to.

S. B. No. 69 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Albright, Donlan, Muffly.—3.

Title agreed to.

H. B. No. 35 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Albright, Donlan, Muffly, Romney.—4.

Title agreed to.

H. B. No. 122 was not concurred in by the following vote:

Ayes: Bielenberg, Cardwell, Cowgill, Harper, Haviland, Martien, Sanders, Donlan.—8.

Noes: Annin, Edwards, Everett, Fairbanks, Glidden, Long, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Tooley, Truscott, White.—16.

Absent and not voting: Albright, Muffly, Romney.—3.

H. B. No. 123 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Muffly, Romney.—2.

Title agreed to.

H. B. No. 132 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Muffly, Romney.—2.

Title agreed to.

H. B. No. 164 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCone, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: Muffly.—1.

Title agreed to.

H. B. No. 167 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Muffly, Rae.—2.

Title agreed to.

H. B. No. 174 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Martien, Muffly.—2.

Title agreed to.

H. B. No. 197 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: Muffly.—1.

Title agreed to.

H. B. No. 206 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: Muffly.—1.

Title agreed to.

H. B. No. 207 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards,

Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: Muffly.—1.

Title agreed to.

H. B. No. 210 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: Muffly.—1.

Title agreed to.

H. B. No. 213 concurred in by the following vote:

Ayes: Albright, Annin, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Bielenberg, Donlan, Glidden, Muffly.—4.

Title agreed to.

H. B. No. 217 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Donlan, Glidden, Muffly.—3.

Title agreed to.

H. B. No. 232 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Donlan, Muffly.—2.

Title agreed to.

H. B. No. 235 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Donlan, Muffly.—2.

Title agreed to.

H. B. No. 235 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles,

McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: Muffly.—1.

Title agreed to.

H. B. No. 236 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: Muffly.—1.

Title agreed to.

H. B. No. 237 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: Muffly.—1.

Title agreed to.

Glidden moved that the vote by which Senate Bill No. 34 was indefinitely postponed be reconsidered.

Annin moved as a substitute that the motion be laid on the table.

Substitute motion carried.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

FORTY-SEVENTH DAY

Helena, Montana, February 22nd, 1907.

Senate convened at 10:30 A. M.

President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal read and approved.

Rae, Truscott, Albright, Haviland, and Miles reported for roll call.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill No. 75, being a Bill for an Act entitled, "An Act to increase the number of members composing the State Furnishing Board, and prescribing rules and regulations and maximum rates to be followed by said board in reference to all State Printing, Binding, etc., and repealing Sections 702 to 714 inclusive Article 19 of the Political Code of the State of Montana."

Also, Senate Bill No. 63 being a Bill for an Act entitled "A Bill for an

Act relating to Banks and Banking; providing for the organization, management, control, regulation and supervision of same. Providing penalties for violations of the provisions of this Act, repealing Sections 570 to 585 inclusive being all of Division I, Part IV, Title II, of the Civil Code of Montana, providing that all persons doing a Banking Business shall comply with the provisions of this Act, providing for the assessment and taxation of Banks, repealing Section 4061 of the Political Code of Montana relating to licenses", beg leave to report that they have duly considered said Bills and respectfully recommend that they be indefinitely postponed.

WHITE, Chairman.

On motion of Martien report adopted and Bills indefinitely postponed.

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 50, being a Bill for an Act entitled "An Act to amend Sections 1, 17, and 25 and to repeal Sections 10, 11, 12, 13, 14, 21, 22, and 27 of Senate Bill No. 64 "An Act to provide for the organization, regulation and inspection of Building and Loan Associations, and to repeal Sections 770 to 790 inclusive, and 800 to 845 inclusive of the Civil Code of Montana", Approved March 4, 1897, beg leave to report that they have duly considered said Bill and respectfully recommend that it do pass.

WHITE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bills No. 47, 85, 88, and 99 correctly printed.

SANDERS, Chairman.

Report adopted and Bills referred to Steering Committee.

Senate Chamber, Helena, Montana, February 21, 1907.

Mr. President:

Your Committee on Education having had under consideration Senate Bill No. 54 introduced by Miles, recommend that it do pass.

That H. B. No. 188, introduced by Miller, be concurred in.

Respectfully submitted,

TOOLEY, Chairman.

Report adopted, Senate Bill No. 54 referred to Printing Committee.

House Bill No. 188 referred to Steering Committee.

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

Your Committee on Railroads and Transportation to whom was referred House Bill No. 116 being a Bill for an Act entitled "An Act to regulate the size and manner of construction of all caboose cars used by any persons, corporation or company within the State of Montana", having had the same under consideration, report the same back with the recommendation that it be concurred in.

EVERETT, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 21st, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill No. 105 being a Bill for an Act to regulate the practice of Optometry beg leave to report that they have considered same, and respectfully recommend that the Bill be amended as follows:

Strike out all of Section 12, and re-number the remaining sections to correspond, and as amended the Bill do pass.

WHITE, Chairman.

On motion of Donlan, report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

We, your Committee on Public Buildings, having had under consideration Senate Bill No. 107, beg leave to report that we have carefully examined said Bill and recommend that the same be indefinitely postponed.

Respectfully submitted,

ANNIN, Chairman.

On motion of Annin report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 21st, 1907.

Mr. President:

Your Committee on Labor and Capital to whom was referred House Bill No. 89 being a Bill for an Act entitled "An Act to amend Chapter VI, Title XIII, of the Penal Code of the State of Montana, relating to extortion by adding thereto a Section to be designated as Section 924, so as to prevent the denial of indebtedness for labor, or willful refusal to pay such indebtedness, with intent to secure a discount from the laborer", beg leave to report that they have duly considered the same, and report and recommend that the same be concurred in.

McCARTHY, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 121, being a Bill for an Act entitled "An Act concerning Notaries Public, who are stockholders, directors, officer, or employees of banks or other corporations".

Also, Senate Bill No. 118, being a Bill for an Act entitled "An Act to amend Section 472 of the Civil Code of Montana, relating to corporations",

Also Senate Bill No. 122, being a Bill for an Act entitled "An Act prescribing the conditions upon which foreign corporations or joint stock companies, may carry on the business of banking in the State of Montana; regulating them, and providing penalties and punishments for violations of its provisions, and repealing 'An Act regulating foreign corporations, and joint-stock companies doing a banking business within the State of Montana, and prescribing penalties and punishments for violations of the provisions thereof', approved March 7th, 1905", beg leave to report that they have duly considered said Bills, and respectfully recommend that they do pass.

WHITE, Chairman.

Report adopted and Bills referred to Printing Committee.

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 120, being a Bill for an Act entitled "An Act to amend Section 601 of the Civil Code of Montana, relating to liability of stockholders", beg leave to report that they have duly considered said Bill, and respectfully recommend that it be printed.

WHITE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 19th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Substitute for House Bill No. 23, being a Bill for an Act entitled "An Act making effective the Initiative and Referendum provisions of Section I, of Article IV, as amended, of the Constitution of the State of Montana, and regulating elections thereunder, and providing penalties for the violations of the provisions of this Act "beg leave to report, that they have duly considered said Bill and respectfully recommend that the Bill be amended by inserting in Section 1 above the words, "petition for Referendum", the following:

WARNING!

Any person signing any name other than his own to this petition or signing the same more than once for the same measure at one election, or who is not, at the time of signing the same, a legal voter of this State, is punishable by a fine not exceeding Five Hundred Dollars ($500.00) or imprisonment in the Penitentiary not exceeding two years or by both such fine and imprisonment; and by inserting in Section 2 above the words "petition for Initiative" the following:

WARNING!

Any person signing any name other than his own to this petition or signing the same more than once for the same measure at one election, or who is not, at the time of signing the same, a legal voter of this State, is punishable by a fine not exceeding Five Hundred Dollars ($500.00) or imprisonment in the Penitentiary not exceeding two years or by both such fine and imprisonment; and as amended recommend that the said Bill be concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 20, 1907.

Mr. President:

Your Committee on Corporations other than Municipal having duly considered House Bill No. 17 report the same back with the recommendation that further consideration of said Bill be indefinitely postponed.

MILES, Chairman.

Rae moved the adoption of the report.

Martien moved as an amendment to the motion that the report of Committee be not adopted and Bill be referred to General File.

Martien demanded a Roll Call.

Following communication from the House was received and read:

House of Representatives, Helena, Montana, February 22nd, 1907.

To the Honorable Senators, Tenth Legislative Assembly:

Gentlemen: You are respectfully invited to join the House immediately in Joint Session to participate in exercises appropriate to the birth of the Father of our Country.

Respectfully yours,

E. W. KING, Speaker.

By unanimous consent the Senate recessed and repaired to the House to take part in the joint assembly for the purpose of participating in exercises appropriate to the day.

Senate reconvened.

President in the Chair.

Roll called. Quorum present.

Senate resumed consideration of question under discussion previous to recess.

Roll call on amendment of Martien resulted as follows:

Ayes: Annin, Bielenberg, Cowgill, Everett, Fairbanks, Glidden, Long, Martien, McCarthy, Romney, Truscott, White.—12.

Noes: Albright, Donlan, Edwards, Harper, Haviland, Metcalf, Miles, McCone, McDonnell, McLean, Rae, Tooley.—12.

Absent and not voting: Cardwell, Muffly, Sanders.—3.

The President voted aye, motion carried, whereupon the vote recurring upon the original motion as amended was carried.

Report not adopted and Bill referred to General File.

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

Your Committee on Fish and Game, having had under consideration Senate Bill No. 113, respectfully report back the within substitute for same, with a recommendation that such Substitute do pass.

Respectfully submitted,

MILES, Chairman.

On motion of Miles report adopted and Substitute Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 209 beg leave to report as follows:

That we have had the same under consideration, and hereby recommend that the same be not concurred in.

Respectfully submitted,

McCONE, Chairman.

On motion of McCone report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred Senate Bill No. 109 beg leave to report as follows: that they have had the same under consideration and recommend that it do pass.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred Senate Bill No. 102, which is a Bill for an Act entitled "An Act to provide a silver service for the Federal Battleship "Montana" and to appropriate money to purchase the same", hereby recommend that the same be amended as follows:

1. Amend title by striking out after the word "the" the words "Federal Battleship" and inserting in lieu thereof the words "United States Cruiser".

2. Amend Section 1 by striking out after the words "in charge of the" the words "Federal Battleship" and insert in lieu thereof the words "United States Cruiser", and when so amended that the same do pass.

Respectfully submitted,

McCONE, Chairman.

On motion of McCone report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred Senate Bill No. 59, beg leave to report as follows:

That we have had the same under consideration and recommend that it do not pass.

Respectfully submitted,

McCONE, Chairman.

Rae moved the adoption of the report.

Romney moved as an amendment that the report of the Committee be not adopted and the Bill be referred to Printing Committee.

Amendment motion carried and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred Senate Bill No. 208 beg leave to report as follows:

That we have had the same under consideration, and recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 21st, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 145 beg leave to report as follows:

After consideration of said Bill, the same do pass with the following amendments:

Amend Section 8 by striking out line 58 on page 3 and line 59 on page 4, and by inserting in line 60, before the words "be the duty" the following "Section 8. It shall"; and by striking out the word "Such" appearing in line 61, and by inserting at that point the words "the next insuing", and by inserting in said line 61, after the word "election", the following "and upon receiving a majority of all votes cast for and against it at such election, it shall be declared approved."; and by inserting in line 70, after the word "Institutions", the following: "and to make whole the permanent funds of such institutions."; ;

and by inserting a new section at the conclusion of said Bill to be designated Section 9 as follows: "Section 9. This act shall be in full force and effect from and after its passage and approval".

Respectfully submitted,

McCONE, Chairman.

On motion of McCone report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

Your Committee on Stockgrowing and Grazing, to whom was referred House Bill numbered 200, having had same under consideration, beg to report back and recommend that it do pass with the following amendments:

First. Wherever the word "one mill occurs in said Bill strike out and insert "three-fourths of one mill."

Second. Amend line 13 Section 2, by inserting after the word "member" the following: "or some sheep owner of the State".

Third. Amend Section 32, line 181, by inserting after the word "Surgeon." the following: "which said permit must be issued by the Veterinarian upon receipt from such person or persons of an application in writing for the same".

BIELENBERG, Chairman.

On motion of Bielenberg report adopted and Bill referred to Steering Committee.

Following communications from the House received and read:

House of Representatives, Helena, Montana, February 21, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following notice of Bill was this day received:

By McManus: A Bill which shall be known as the "No treat law" wherein intoxicating liquor of any kind shall be presented or offered to any party, either male or female, for any consideration of friendship, pleasure, or in any way asking any one to join or partake of the same.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 21, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced:

By Marshall: H. B. No. 397. A Bill for an Act to amend Chapter XII of Title X, of Part III, of the Political Code by adding thereto a section to be known as Section 4027.

By McManus: H. B. No. 398. A Bill for an Act entitled, "An Act to be known as the "no treat law", to prevent the contamination or other evil influence of the treat habit".

By Morris: H. B. No. 399. A Bill for an Act entitled, "An Act to provide for the sale of all lands acquired by the State of Montana, under and by virtue of the provisions of Chapter 118, Session Laws of 1903".

By Thompson of Fergus: H. B. No. 400. A Bill for "An Act to repeal Sections 4073 and 4076 of the Political Code of the State of Montana relating to licenses, and to repeal Section 4075 of the Political Code of the State of

Montana as amended by the Act approved March 6, 1897, relating to licenses".

Respectfully.

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 21, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Morgan: H. B. No. 391. A Bill for an Act providing for temporary floors and safe scaffoldings in buildings during the erection thereof for the protection of the persons working therein.

By Bennett: H. B. No. 392. A Bill for an Act entitled, "An Act concerning Notaries Public who are stockholders, directors, officers or employees of Banks or other corporations".

By Gray: H. B. No. 393. A Bill for an Act entitled, "An Act to provide for the distribution to and among the various counties entitled thereto of the money derived from forest reserves in the State of Montana under an Act of Congress approved June 30, 1906".

By Thompson of Sanders: H. B. No. 395. A Bill for an Act to provide for the payment of bounties for the killing certain birds of prey and appropriating money for the payment thereof, and also prescribing penalties for making false claims.

By Thompson of Sanders: H. B. No. 395. A Bill for an Act providing license on dogs, and prescribing penalties.

By Root: H. B. No. 396. A Bill for an Act entitled, "An Act making it unlawful for any person owning or having sheep in charge to herd or permit the same to be herded on the land or possessory claims of other persons, or to herd the same or permit the same to be herded or grazed within two miles of the dwelling house of the owner of any land or possessory claim.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 21, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Judiciary Committee to whom Senate Bill No. 77 was referred recommend that the Bill be not concurred in. Report adopted and the Bill is herewith returned.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 21, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 157, 162, 192 and 305, have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 21, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Joint Memorial Nos. 1, 2 and 4 have been read a third time and passed by the

House, also, House Bills Nos. 228, 321, 322 and 323, and herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 21, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Joint Resolution No. 9 has been read a third time and passed by the House and is herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

On motion of White the resolution was laid on the table.

Martien moved that House Bill No. 17 be taken from the General File and made a special order for 11 o'clock A. M. the 57th day of the session.

Donlan moved as a substitute that H. B. No. 17 be referred to the Steering Committee.

Substitute motion prevailed.

Martien moved that the Judiciary Committee be instructed to report on S. B. No. 95 by Monday.

Long arose to a point of order that all Bills must be reported in three days.

Long moved as an amendment that S. B. No. 95 be withdrawn from the Judiciary Committee and re-referred to the Committee on Fish and Game.

White moved as a substitute for all pending motions that the Judiciary Committee be allowed further time in which to consider said Bill.

Substitute for all pending motions carried.

The Judiciary Committee having specified the further time desired, Long moved that the Judiciary Committee report on said Bill on Tuesday.

Motion carried.

Annin moved that the Committee on Public Buildings be allowed further time in which to report.

Motion carried.

By unanimous consent rules were suspended and Rae was allowed to introduce a Bill without previous notice.

By unanimous consent rules were suspended and the following Bills were read a first and second time by title only.

S. B. No. 124: By Committee on Finance and Claims. A Bill for an Act entitled, "An Act to appropriate money to pay to the owners of bonds heretofore issued by the State Board of Land Commissioners under the name of the State University, State Normal School and Deaf and Dumb School of the State of Montana an amount equal to the interest due and accruing on the interest coupons attached to said bonds and maturing on or before January 1, 1909, and to authorize the State Board of Examiners to call in said bonds in the order of their issuance and to pay and cancel the same, and to appropriate money for such purpose.

Referred to Committee on Public Buildings.

S. B. No. 123: By Rae. A Bill for an Act entitled, "An Act to provide for the appointment of a Clerk for the office of State Mine Inspector and State Coal Mine Inspector".

Referred to Committee on Mines and Mining.

H. B. No. 162: By Allen. A Bill for an Act entitled, "An Act appropriating money for the payment of claims of certain persons against the State of Montana for losses arising from the slaughtering of diseased animals under provisions of Sections 3005 and 3006 of the Political Code of the State of Montana".

Referred to Committee on Finance and Claims.

H. B. No. 157: By Walker. A Bill for an Act entitled, "An Act to amend Section 4596 of the Political Code of the State of Montana, relating to the annual compensation allowed deputies or assistants to County Officers, as amended by an Act entitled, "An Act relating to the number of Deputies allowed County Auditors in Counties of the first class and fixing the compensation of same, approved March 4, 1905, and as amended by an Act entitled, 'An Act relating to number of assistants allowed the Clerk of the District Court in Counties of the First class, and fixing the compensation allowed to said Deputies and Assistants in Counties of the First class', approved March 4, 1905, and as amended by an Act entitled, 'An Act fixing the maximum number of deputy sheriffs in Counties of the first class and the maximum annual compensation thereof', approved March 4, 1905, and as amended by an Act entitled, 'An Act relative to the number of Assistants allowed Treasurers in Counties of the first class and fixing the compensation allowed to said deputies and assistants in Counties of the first class,' approved March 4, 1905, and to repeal an Act entitled, 'An Act to amend Sections 3 and 4 of an Act entitled, 'An Act concerning the compensation of County, District and Township Officers,' approved March 6, 1891, approved March 2, 1893, and to repeal an Act entitled, 'An Act to amend an Act', An Act concerning the compensation of County, District and Township Officers, approved March 9, 1893'.

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 232: By Committee on Appropriations: A Bill for an Act entitled, "An Act appropriating money for the payment of claim of J. M. Lewis for service and expenses incurred".

Referred to Committee on Finance and Claims.

H. J. M. No. 1: By Patten. Petitioning Congress to enact such Legislation as will result in the opening of Fort Peck Indian Reservation.

Referred to Committee on Federal Relations.

H. J. M. No. 4: By O'Connor. Relating to incorporation by the General Government within Forest Reserves of vast areas within this State, etc.

Referred to Committee on Public Lands.

H. B. No. 192: By Campbell. An Act entitled, "An Act to amend Section 606 of the Political Code of the State of Montana, relating to the practice of medicine or surgery contrary to law, providing a penalty therefor, and defining what evidence shall be deemed sufficient to constitute the practice of medicine and surgery.

Referred to Committee on Judiciary.

H. B. No. 321: By Committee on Appropriations. A Bill for an Act entitled, "An Act appropriating money for the payment of deficiency claims of the Rocky Mountain Bell Telephone Company.

Referred to Committee on Finance and Claims.

H. B. No. 305: By Marshall. A Bill for an Act entitled, "An Act to provide for an additional Judge for the Fourth Judicial District, so that there will

hereafter be two Judges in said District, one of whom shall keep his Chambers at the town of Hamilton Ravalli County".

Referred to Committee on Judiciary.

H. J. M. No. 2: By Allen. Relating to the exchange by the Secretary of State of Volumes 8 to 32 for Volumes 1 to 7 of Montana published reports.

Referred to Committee on Judiciary.

H. B. No. 323: By Committee on Appropriations. A Bill for an Act entitled, "An Act appropriating money for the payment of deficiency claims account requisitions.

Referred to Committee on Finance and Claims.

H. B. No. 228: By Miller of Park. A Bill for an Act entitled, "An Act to amend Sections 132 and 134 of the Civil Code of the State of Montana, and to amend Article II, of Chapter II, of Title I, of Division I, of said Civil Code by adding thereto a Section to be numbered Section 147, which section 147 defines incompatibility of temper as cause for divorce.

Referred to Committee on Judiciary.

The following resolution was offered by White:

Senate Chamber, Helena, Montana, February 21, 1907.

Be it resolved by the Senate that hereafter the reading of the Journal in open session be and the same is hereby dispensed with, and that the President of the Senate be, and he is hereby authorized, empowerd and directed to read and approve the Journal of each day and such reading and approval shall have the same force and effect as if read in open session and approved by the Senate.

On motion of White the above resolution was adopted.

White moved that the vote by which the report of the Judiciary Committee was adopted recommending the indefinite postponement of Senate Bill No. 63, be reconsidered.

Motion carried.

On motion of Edwards S. B. No. 63 was re-referred to General File.

Long moved that the Steering Committee be instructed to place the number of all Bills on General Orders on the blackboard on the day preceding their consideration if possible, and in any event, before the opening of the Senate Session on the day on which such Bills are to be considered, and any Bill not so posted shall not be considered on General Orders except on the three last days of the session.

Motion carried.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 22nd, 1907.

Mr. President:

Your Committee on Fish and Game having had under consideration S. B. No. 104, respectfully report back that the same be indefinitely postponed.

Respectfully submitted,

MILES, Chairman.

On motion of White report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 21, 1907.

Mr. President:

Your Committee on Labor and Capital to whom was referred H. B. No. 115, being a Bill for an Act entitled, "An Act for the better protection of employees, and for preventing superintendents, foremen, assistants, bosses, or any

other person from receiving or soliciting any sum of money or other valuable consideration, for, or on account of employing, or continuing to employ any person, or promising or agreeing so to do, and providing penalties for violations of this Act", having had the same under consideration, respectfully report and recommend that the same be concurred in.

McCARTHY, Chairman.

Report adopted and bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 22, 1907.

Mr. President:

Your Committee on Fish and Game, having had under consideration S. B. No. 87, respectfully report back that the same be indefinitely postponed.

Respectfully submitted,

MILES, Chairman.

On motion of Miles report adopted and bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 22, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bills numbered 15, 21, 20, 44, and S. J. M. No. 1, beg leave to report as follows:

That the same have been correctly enrolled.

Respectfully submitted,

RAE, Chairman.

After giving notice President signed Senate Bills Nos. 21, 15, 20, 44 and S. J. M. No. 1.

Senate Chamber, Helena, Montana, February 22, 1907.

Mr. President:

Your Committee on Enrolled Bills report that Senate Bills Nos. 1, 27, 24, 38 and S. J. R. No. 1 have been duly signed by the Speaker of the House and are now in the hands of His Excellency, the Governor.

RAE, Chairman.

Adjourned until 2 P. M. Monday.

H. K. HOWRY, Secretary.

FIFTIETH DAY

Helena, Montana, February 25th, 1907.

Senate convened at 2 P. M.

President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

A resolution by the Committee of the Bar Association of the Fourth Judicial District, recommending an Additional Judge for the Fourth Judicial District was received, read, and referred to Committee on Judiciary.

A communication from residents of Sweet Grass County, petitioning the repeal of an Act of the Legislature by which certain lands were withdrawn from settlement, was received, read, and referred to Committee on Public Lands.

Also, a communication from W. R. Tucker, Secretary, of the National Board of Trade, together with a resolution adopted by the National Board of Trade relative to Pure Food Laws, was received, read and referred to Committee on Judiciary.

After giving notice President signed House Bills Nos. 123, 232, 132, 237, 210, 207, 235, 234, 213, 167, 197, 174, 236, 217, 206, 164.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 25th, 1907.

Mr. President:

Your Committee on Steering begs leave to report the following Bills be placed on General File this day: Sub. for House Bill No. 23, H. B. Nos. 89, 115, 116, 145, 159, 169, 188, 200, 208.

DONLAN, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, February 25th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred Senate Bill numbered 116 beg leave to report as follows:

We have had the same under consideration and recommend that the same do pass.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 25th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred House Bills numbered 39 and 81 beg leave to report as follows:

We have had the same under consideration and recommend that the same be indefinitely postponed.

Respectfully submitted,

DONLAN, Chairman.

Martien moved that report of Committee be segregated.

Edwards moved as an amendment that the report of the Committee be adopted.

Long made a point of order that a segregation was permitted by the Constitution. Point of order sustained by the President.

On motion of Edwards report was adopted as to H. B. No. 81.

Martien moved that report be not adopted as to S. B. No. 39 and same be referred to Steering Committee.

Martien demanded a roll call.

Motion carried by the following vote on roll call:

Ayes: Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—22.

Noes: Albright.—1.

Absent and not voting: Cardwell, Metcalf, Muffly, Rae.—4.

House Bill No. 39 referred to Steering Committee.

Senate Chamber, Helena, Montana, February 25th, 1907.

Mr. President:

Your Committee on Irrigation and Water Rights, to whom was referred Substitute for House Bill No. 45 being a Bill for an Act entitled an act to provide for the creation and organization of irrigation ditches, report having had under consideration the same and recommend that it be concurred in.

EVERETT, Chairman.

Report adopted and Bill Referred to Steering Committee.

Senate Chamber, Helena, Montana, February 22, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 53, beg leave to report as follows: that the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for Third Reading.

Senate Chamber, Helena, Montana, February 25th, 1907.

Mr. President:

Your Committee on Printing, beg leave to report Senate Bills Nos. 97 and 100 correctly printed.

SANDERS, Chairman.

Report adopted and Bills referred to General File.

Select Committees reported as follows:

Senate Chamber, Helena, Montana, February 25th, 1907.

Mr. President:

Your Conference Committee appointed to confer with a like Committee of the House concerning amendments to Senate Bill No. 8, beg leave to report that the Joint Conference Committtee did not meet for the reason that an error was made on the part of the original report from the House relative to the amendments, and the only amendment on the same was to insert the words "and necessarily" after the word "actual" in line 7, Section 1 of the printed Bill, and for this reason your Committee makes no further report.

Respectfully submitted,

MILES, Chairman.

House amendments to Senate Bill No. 8, was, on motion of Miles, concurred in by the following vote:

Ayes: Albright, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Miles, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—20.

Noes.—None.

Absent and not voting: Annin, Cardwell, Haviland, Metcalf, Muffly, McCarthy, Rae.—7.

Bill referred to Committee on Enrolled Bills.

Rae excused Monday and Tuesday.

Following Communications from the House received and read:

House of Representatives, Helena, Montana, Feb. 25th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that under suspension of the rules, and adopted, the House passed the following resolutions:

Whereas: Nathan Godfrey, the Chief Clerk of the House, on account of having been chosen to the position of Railroad Commissioner, has tendered his resignation as Chief Clerk, which has been accepted, and

Whereas: The position of Chief Clerk is now vacant, notwithstanding Mr. Godfrey's generous offer to serve this House in an advisory capacity, yet it is necessary and important that this House should have some one upon whom the duties and responsibilities of Chief Clerk should devolve, and

Whereas: Charles B. Gibbs has so faithfully and efficiently discharged the duties of Assistant Clerk, as to show himself worthy and capable;

Therefore, be it resolved: That Charles B. Gibbs, be and he is hereby made the Chief Clerk of the House, and

Be it Further Resolved, that the thanks of this House are due and are hereby tendered to Mr. Nathan Godfrey for the efficient manner in which he discharged his duties while Chief Clerk of the House, as well as his uniform courtesy to the members, and

Be it Further Resolved, that we extend Mr. Godfrey our best wishes for his future, and hope that it shall prove prosperous, and that in the discharge of his new duties he may so acquit himself as to win the applause of the whole people of the State and secure to them lasting and substantial benefits.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 23rd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following notice of Bill was this day received:

By Miller of Lewis and Clark: A Bill for an Act requiring City Officials and School Trustees in Cities of the First class to file with the Clerk of the District, Bonds for the faithful performance of duty.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 23rd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Griffin: H. B. No. 401. A Bill for an Act entitled "An Act to prescribe the hours of labor for prison guards employed at the State Prison, and providing penalties for the violation thereof.

By Goff: H. B. No. 402. A Bill for an Act appropriating money for the repairing the roof of the State Arsenal at Helena, Montana.

By O'Connor: H. B. No. 403. A Bill for an Act entitled "An Act to protect the traveling public from being compelled to eat adulterated food stuffs served at Hotels, Restaurants and Boarding Houses in the State of Montana, without having due notice thereof.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 23rd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that

House Bills Nos. 271, 277, 153, 140, 202, 250, 80, Substitute 259, 146, 166, 267, 272, 181, 149, 230, 204, 176, 241, 221, and 185 (with petition) have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 23rd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 96, 128, 131, 168, 183, 186, 212, 225, 233, 246, 276, 285, and 304, have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 25th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 242 has been read a third time and passed by the House and is herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 25th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced and read first and second times:

By Manchester: H. B. No. 304. A Bill for an Act entitled "An Act to provide that the National Flag be unfurled, displayed and kept floating upon the grounds of the State Capitol Building, and to authorize and direct the Secretary of State to have erected a suitable flagstaff and provide suitable flags therefor, and to provide for the payment of the necessary expenses incident thereto."

By Thompson of Fergus: H. B. No. 405. A Bill for an Act entitled "An Act to establish a sub-experimental station near Lewistown, Montana, and providing for the acquisition or acceptance of title to the land for the same and the direction thereof.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 25th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 226 and 221 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 22nd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that

Senate Concurrent Resolution No. 8 has been read a third time and concurred in by the House and is herewith returned.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana.

Mr. President:

I am directed by the House to inform your Honorable Body that Mr. Speaker appointed the following Committee to investigate the State Penitentiary pursuant to Senate Concurrent Resolution No. 8.—Tudor, Corby and Swindlehurst.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 23rd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 22 has been amended in title, and is again transmitted to your Honorable Body for its concurrence.

Respectfully,

NATHAN GODFREY, Chief Clerk.

House amendments to House Bill No. 22 were on motion of Donlan concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett Fairbanks, Glidden, Harper, Haviland, Long, Martien, Miles, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—22.

Noes.—None.

Absent and not voting: Cardwell, Metcalf, McCarthy, Muffly, Rae.—5.

House of Representatives, Helena, Montana, February 23rd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body, having received communication from the return of House Bill No. 161 for your further action that the same is herewith transmitted.

Respectfully,

NATHAN GODFREY, Chief Clerk.

Long moved that the report of Committee on Judiciary by which H. B. No. 161 was indefinitely postponed be reconsidered.

Motion carried.

On motion of Long H. B. No. 161 was re-referred to Committee on Judiciary.

House of Representatives, Helena, Montana, February 25th, 1907.

Mr. President:

We herewith return House Bill No. 82 as per your request.

NATHAN GODFREY, Chief Clerk.

It appearing that the title to said Bill was defective, Annin offered the following amendment: That the title to House Bill No. 82 read as follows:

"An Act to amend Sections 2505 and 2506 of the Civil Code of the State of Montana, relating to Hotels, Inns and Lodging Houses, and providing a

better protection of the guests and employees thereof from fire," and that all other amendments to the title be stricken out.

On roll call motion carried by the following vote:

Ayes: Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—22.

Noes.—None.

Absent and not voting: Albright, Cardwell, Metcalf, Muffly, Rae.—5.

Title as amended approved.

By unanimous consent rules were suspended and Edwards allowed to introduce a Bill without previous notice.

Haviland asked unanimous consent to introduce a Bill. Martien objected.

Whereupon Haviland moved that rules be suspended and he be allowed to introduce a Bill without previous notice. Motion carried.

By unanimous consent rules were suspended and Donlan allowed to introduce a Bill without previous notice.

By unanimous consent rules were suspended and the following Bills were read first and second times by title only:

S. B. No. 125: By Edwards. A Bill for an Act to amend Sections 3000 and 3013 of the Political Code, and the acts amendatory thereof; relating to the appointment of a State Veterinary Surgeon his qualifications and salary.

Referred to Committee on Stock Growing and Grazing.

S. B. No. 126: By Haviland. A Bill for an Act to amend an Act approved March 5th, 1903, entitled, "An Act relating to the granting of franchises by Cities and Towns, and providing a submission of the question of granting any franchise to the resident freeholders whose names shall appear on the City or County tax roll preceding such election, and providing for the extension of said franchises under certain conditions." Referred to Committee on Counties, Towns and Municipal Corporations.

S. B. No. 127: By Donlan, by Request. A Bill for an Act to amend Section 864, Part III, Title I, Chapter VI, Article I, Political Code of Montana, concerning the salary of the Marshal of the Supreme Court.

Referred to Committee on Finance and Claims.

H. B. No. 226: By Weed. A Bill for an Act entitled "An Act to provide certain requirements of Life Insurance Companies organized in the State of Montana, also relating to the admission of Life Insurance Companies organized in other states and applying to transact business in this State.

Referred to Committee on Judiciary.

H. B. No. 241: By Committee on Judiciary. A Bill for an Act entitled "An Act authorizing the appointment of a third assistant to the Attorney General and authorizing the employment of an additional Stenographer for the Attorney General's Office."

Referred to Committee on Finance and Claims.

H. B. No. 121: By Weed. A Bill for an act entitled, "An Act to amend Section 666, Title IV, Chapter I, Civil Code, relating to the filing of annual statement by certain corporations."

Referred to Committee on Corporations other than Municipal.

H. B. No. 96: By Whiteside. A Bill for an Act entitled, "An Act to

amend Sections one, two, three, four and five of an Act of the Eighth Legislative Assembly entitled 'An Act to appoint the Entomologist of the Experiment Station, State Entomologist and appropriate money to pay his traveling expenses.' "

Referred to Committee on Finance and Claims.

H. B. No. 128: By Corby and Seidler. A Bill for an Act entitled, "An Act prohibiting the employment of children in certain occupations under the age of sixteen years, providing for the registration of the age of all Children; the issuance of an age certificate and the disposition of the same, forbidding the employment of children in certain occupations without such certificate, providing for the enforcement of the provisions of this Act and providing penalties for the violation of the provisions thereof."

Referred to Committee on Labor and Capital.

H. B. No. 131: By A. H. Gray. A Bill for an Act entitled, "An Act requiring all mortgages or other instruments given for the security of a debt or obligation and all assignments to show the true name and residence of the parties thereto, and in case such parties are non-residents requiring certain affidavits to be made a part thereof, and fixing penalties for making false statements therein."

Referred to Committee on Judiciary.

H. B. No. 168: By Seidler. A Bill for an Act entitled, "An Act to amend Paragraph Three of Section 1830, Chapter VI, Article VI, Part III, of Title III, of the Political Code of the State of Montana, as amended by an Act of the Legislature approved March 14, 1901, relating to the taking of the School Census."

Referred to Committee on Education.

H. B. No. 183: By Cummings. A Bill for an Act entitled, "An Act approving Bounty Claim of the Stockmen's National Bank of Fort Benton, Montana, and providing for payment thereof."

Referred to Committee on Finance and Claims.

H. B. No. 186: By Hess. A Bill for an Act entitled, "An Act to compel Street Railway Companies to protect certain of their employees from inclemencies of the weather by performing services and providing penalties for violation of the same.

Referred to Committee on Corporations other than Municipal.

H. B. No. 212: By Weed. A Bill for an Act entitled, "An Act to require an annual apportionment and accounting of surplus of Life Insurance Companies."

Referred to Committee on Judiciary.

H. B. No. 225: By Brewster. A Bill for an Act entitled, "An Act providing for the payment of certain expenses incurred by the Board of Stock Commissioners and the Board of Sheep Commissioners with relation to Bounty Fraud cases and Bounty supplies from the Bounty Fund."

Referred to Committee on Finance and Claims.

H. B. No. 233: By Judiciary Committee. A Bill for an Act to amend Section 2070 of the Penal Code of Montana and to repeal an Act approved February 15, 1901, relating to method of procedure in the trial of Criminal Actions.

Referred to Committee on Judiciary.

H. B. No. 246: By Hess. A Bill for an Act entitled, "An Act to repeal Section 4049 of the Political Code and to enact in lieu thereof a Section to be numbered 4049 of the Political Code providing for a lien on property used in any trade, occupation, or business for which a license is required, and for the seizure and sale of such property upon default in payment of such license."

Referred to Committee on Judiciary.

H. B. No. 276: By Burke. A Bill for an Act entitled, "An Act to amend Section 402, Article V, Chapter III, Part III, Title I, of the Political Code, providing for the distribution of published copies of the Senate and House Journals."

Referred to Committee on Finance and Claims.

H. B. No. 285: By Gerber. A Bill for an Act entitled, "An Act to amend Section 4807 of the Political Code relating to the contracts of Municipal Corporations."

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 304: By Seidler. A Bill for an Act entitled, "An Act to amend Section 670 of Chapter I, Title IV, of the Civil Code relating to Insurance Companies."

Referred to Committee on Judiciary.

H. B. No. 242: By Scallon. A Bill for an Act entitled, "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section VI, Article XVI, of the Constitution of the State of Montana relating to the terms of office of certain officers and making provisions regarding the terms of office of members of police and fire organizations or departments, and of executive and administrative commissions of Municipal Corporations and of School Trustees."

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 271: By Allen. A Bill for an Act entitled, "An Act relating to banking, brokerage, exchange, loan and deposit business, and amending Section 986 of the Penal Code of the State of Montana."

Referred to Committee on Corporations other than Municipal.

H. B. No. 277: By Miller of Park. A Bill for an Act entitled, "An Act to amend Sections 1 and 8, of Article V, of Chapter 106, of the Laws of 1905, and providing for the payment of interest on cost of constructing drains where payment is extended for more than one year."

Referred to Committee on Finance and Claims.

H. B. No. 153: By Leighton. A Bill for an Act entitled, "An Act to amend Section 603 of the Political Code of the State of Montana, relating to the refusal to grant certificates to practice medicine and surgery by the State Board of Medical Examiners, providing for the revocation of such certificates and prescribing the procedure on appeal from the action of State Board of Medical Examiners."

Referred to Committee on Judiciary.

H. B. No. 140: By Marshall. A Bill for an Act entitled, "An Act to create a State Text Book Commission for the purpose of adopting and maintaining a uniform series of text books for the Public Schools of Montana, to regulate the price of same, define the duties and powers of the said Commis-

sion and appropriating a sum of money named therein for the expenses of said Commission."

Referred to Committee on Education.

H. B. No. 202: By Whiteside. A Bill for an Act entitled, "An Act to provide for Farmers' Institute Extension Work in agriculture and to repeal an Act entitled, 'An Act providing for Farmers' Institute and making an appropriation therefor,' approved March 14, 1901, and to repeal an Act entitled 'An Act to amend an Act providing for Farmers' Institutes and making an appropriation therefor,' approved March 6, 1903."

Referred to Committee on Finance and Claims.

H. B. No. 250: By Miller of Park. A Bill for an Act entitled, "An Act to amend an Act approved March 18, 1901, entitled, 'An Act creating the office of Inspector of Coal Mines, defining his duties, and providing for his salary and providing penalties for the violation thereof,' creating the office of Coal Mine Inspector, and making the Coal Mine Inspector ex-officio the sealer of weights and measures for coal mines, and providing for his removal from office for cause, also providing for the payment of fees for inspecting of coal mines and inspection of Coal Mine scales; and defining the duties of said Coal Mine Inspector, providing for his salary and providing penalties for the violation thereof."

Referred to Committee on Mines and Mining.

H. B. No. 80: By Allen: A Bill for an Act entitled, "An Act to amend Sections 9 and 10 of Article II, Sections 17, 14, 18 and 25 of Article III, Sections 29, 30 and 32 of Article IV, Section 35 of Article VI, Sections 44, 47, 48 and 50 of Article VII, Section 53 of Article VIII, and Section 62 of Article IX, and to repeal Section 8 of Article II and Section 52 of Article VII of Chapter 44 of the Session Laws of 1903, approved March 2, 1903, and to repeal Sections 1, 2, 3, 4 and 5 of Chapter 76 of the Session Laws of 1905, approved March 3, 1905."

Referred to Committee on Roads, Highways and Bridges..

Substitute for H. B. No. 259: By Committee on Mines and Mining. A Bill for an Act entitled, "An Act to amend Chapter 50 of the Session Laws of the year of 1905, State of Montana, being an Act entitled, 'An Act prescribing the hours of labor which shall constitute a day's work on all works or undertakings carried on or aided by Municipal, County or State Government and on all contracts let by them and in mills and smelters for the treatment of ores and in underground mines and providing a penalty for the violation of the provisions of this Act, approved March 1, 1905, and to provide further the number of hours labor which shall constitute a day's work for the washing or reducing or the treating of coal."

Referred to Committee on Labor and Capital.

H. B. No. 146: By Weed. A Bill for an Act entitled, "An Act to prohibit discrimination by Life Insurance Companies and providing penalties for violations thereof."

Referred to Committee on Corporations other than Municipal.

H. B. No. 166: By Cutler, by Request. A Bill for an Act entitled, "An Act regulating the sale of merchandise in bulk and making provisions for the protection of the creditors of the vendor."

Referred to Committee on Judiciary.

H. B. No. 272: By Moore. A Bill for an Act entitled, "An Act to provide for the appointment of a Commissioner to compile and revise the Codes and other Laws of Montana, and to provide for the publication of such Codes, to provide for the compensation of such Commissioner and make an appropriation therefor."

Referred to Committee on Judiciary.

H. B. No. 181: By Moore. A Bill for an Act entitled, "An Act to amend Section 2391, of Chapter III, Article I, Part III, Title V, Political Code of Montana, to repeal Section 2396 of said Chapter relating to the Librarians and their salaries, and to add a certain new section to said Chapter III, to be designated as Section 2401, relating to Assistant Librarians and their salaries."

Referred to Committee on Libraries.

H. B. No. 261: By Seidler. A Bill for an Act entitled, "An Act providing for the establishment of wash houses at coal mines and providing penalties for failure to comply with the same.

Referred to Committee on Mines and Mining.

H. B. No. 139: By Weed. A Bill for an Act entitled, "An Act regulating Life Insurance Companies and prohibiting the diversion of funds for Political Purposes."

Referred to Committee on Corporations other than Municipal.

H. B. No. 230: By Duncan. A Bill for an Act to amend Section 3865 of the Civil Code of the State of Montana, relating to the period of time for which mortgages of personal property shall be valid, and to amend Section 3866 of the Civil Code of the State of Montana relating to the renewal of mortgages of personal property as amended by Chapter IV, Laws of 1903, approved March 4, 1903, and as amended by an Act of the Legislative Assembly of the State of Montana, approved February 28, 1905.

Referred to Committee on Judiciary.

H. B. No. 204: By Blewett. A Bill for an Act entitled, "An Act to provide for the appointment of Boards of Examiners for applicants for certain positions in and about coal mines, prescribing their duties and term of office, and providing for the salaries of such Boards."

Referred to Committee on Finance and Claims.

H. B. No. 176: By Blake. A Bill for an Act entitled, "An Act to amend Section 4648 of the Political Code of Montana relating to the fees and mileage of witnesses."

Referred to Committee on Judiciary.

H. B. No. 221: By Corby. A Bill for an Act enitled, "An Act to add to Article VI, Chapter III, Title I, Part III, of the Political Code a section to be numbered 428 providing for the cancellation by the State for a specified period of all warrants returned or uncalled for."

Referred to Committee on Judiciary.

H. B. No. 185: By Griffin. A Bill for an Act entitled, "An Act regulating gambling, and to prohibit certain games and the possession or use of certain implements and appliances and the using or leasing of any premises for gambling purposes, to provide for the enforcement of this Act and to

provide civil and criminal liabilities and penalties for violations of its provisions and civil actions for the recovery of money lost at any of the games herein prohibited, and to repeal and prohibit city and town ordinances on the subject, and to repeal the Act approved March 15, 1901, entitled "An Act to prohibit gambling within the State of Montana, to provide penalties for the violations of this Act and repealing an Act of the Fifth Regular Session of the Legislative Assembly of Montana, approved March 4, 1897, and entitled, 'An Act to prohibit gambling within the State of Montana and to provide penalties for the violations thereof, and to provide for the enforcement thereof and to repeal all laws in conflict of this Act and conflicting Acts.'"

Referred to Committee on Public Morals.

On motion of Tooley Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

Miles in the chair.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 25th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the general file of Bills request me to report and recommend that: Substitute for House Bill No. 23 be amended by adding thereto a Section as follows:

Section 10. A Bill passed by the Legislative Assembly and referred to popular vote the next general Election, or at a Special election shall not be in effect until it is approved at such general or special election by a majority of those voting for and against it.

Also, change the numbering of the Sections to correspond, and that as amended the bill be concurred in.

That H. B. No. 89 be not concurred in.

That H. B. No. 115 be concurred in.

That H. B. No. 116 be amended in Section 1 by striking out the following words: After the words "wheel-trucks" provided, that this does not apply to any person, company or corporation, operating a private line for private use and that as amended the bill be concurred in.

That H. B. No. 145 be concurred in.

That H. B. No. 159 be concurred in.

That H. B. No. 169 be concurred in.

That H. B. No. 188 be concurred in.

That H. B. No. 200 be withdrawn from General File and re-referred to Committee on Judiciary.

That H. B. No. 208 be concurred in.

MILES, Chairman.

On motion of Miles report adopted, and Substitute for H. B. No. 23, House Bills Nos. 115, 116, 145, 159, 169, 188 and 208, referred to Calendar for third reading.

House Bill No. 200 referred to Judiciary Committee.

By unanimous consent rules were suspended and the following Bills considered read a third time at length, read by title only.

S. B. No. 53 passed by the following vote:

Ayes: Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—22.

Noes.—None.

Absent and not voting: Cardwell, Metcalf, Muffly, Rae, Albright.—5.

Title agreed to.

Sub. for H. B. No. 23 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Miles, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—20.

Noes.—None.

Absent and not voting.—Albright, Cardwell, Martien, Metcalf, Muffly, McCarthy, Rae.—7.

Title agreed to.

H. B. No. 115 concurred in by the following vote:

Ayes.—Annin, Bielenberg, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Miles, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—18.

Noes.—Cowgill.—1.

Absent and not voting: Albright, Cardwell, Glidden, Martien, Metcalf, Muffly, McCarthy, Rae.—8.

Title agreed to.

H. B. No. 116 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Miles, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—19.

Noes.—None.

Absent and not voting: Albright, Cardwell, Glidden, Martien, Metcalf, Muffly, McCarthy, Rae.—8.

Title agreed to.

H. B. No. 145 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Miles, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—19.

Noes: Long.—1.

Absent and not voting: Albright, Martien, Metcalf, Muffly, McCarthy, Rae, Cardwell.—7.

Title agreed to.

H. B. No. 151 concurred in by the following vote.

Ayes: Annin, Bielenberg, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Miles, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—19.

Noes.—None.

Absent and not voting: Albright, Cardwell, Donlan, Martien, Metcalf, Muffly, McCarthy, Rae.—8.

Title agreed to.

H. B. No. 208 concurred in by the following vote.

Ayes: Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Miles, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—20.

Noes.—None.

Absent and not voting: Albright, Cardwell, Martien, Metcalf, Muffly, McCarthy, Rae.—7.

Title agreed to.

H. B. No. 188 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Miles, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott.—19.

Noes: White.—1.

Absent and not voting: Albright, Cardwell, Martien, Metcalf, Muffly, McCarthy, Rae.—7.

Title agreed to.

H. B. No. 169 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Miles, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—20.

Noes.—None.

Absent and not voting: Albright, Cardwell, Martien, Metcalf, Muffly, McCarthy, Rae.—7.

Title agreed to.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

Approved: EDWIN L. NORRIS, President of the Senate.

FIFTY-FIRST DAY

Helena, Montana, February 26th, 1907

Senate convened at 10:30 A. M.

President in the chair.

Roll called, quorum present.

Prayer by the Chaplain.

A Resolution from the Merchants' Association of Butte, Montana, endorsing the passage of House Bill No. 120 relating to pool-rooms was received, read and placed on file.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Steering recommend the following Bills for General File. S. B. No. 97, S. B. No. 100, H. B. No. 39, Sub. for H. B. No. 45, and H. B. No. 285.

DONLAN, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bills Nos. 50, 54, 93, 101, 110, 112, 118 and 121 correctly printed.

SANDERS, Chairman.

Report adopted and Bills referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Stock Growing and Grazing to whom was referred Senate Bill No. 73, beg leave to report as follows:

That they have duly considered said Bill, and respectfully recommend that the same be indefinitely postponed.

BIELENBERG, Chairman.

Tooley moved the adoption of the report.

Martien moved as an amendment that the report of Committee be not adopted and Bill be referred to Steering Committee. Amendment lost.

Original motion prevailed and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Public Morals to whom was referred House Bill No. 151, entitled "A Bill for an Act providing regulations for saloons and prohibiting wine-rooms in, or in connection with saloons, prohibiting the frequenting of wine-rooms by females or the admission of females to wine-rooms, and prohibiting females being in saloons for the purpose of being supplied with liquor and prohibiting certain signs in connection with same and providing for the enforcement of this Act, and penalties for its violations, having had the same under consideration respectfully report the bill back with the recommendation that it do pass.

CARDWELL, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill No. 95, being a Bill for an Act entitled "An Act concerning the State Treasurer's Bond, to provide for his salary and compensation, prohibiting him from making profit for himself or other persons from the use of the public moneys of the State; prohibiting others from paying or giving any such profit; prohibiting the use of any such moneys for any purpose not authorized by law, and making any such prohibited act a felony," beg leave to report that in accordance with the order of the Senate said Bill is herewith reported back without recommendation.

WHITE, Chairman.

White moved that the Bill be laid on the table.

Martien moved as an amendment that the bill be printed.

Amendment motion lost, original motion prevailed and Bill laid on the table.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

We, your Committee on Public Buildings, having had under consideration House Bill No. 7, being a Bill for an Act entitled "An Act to authorize, empower, and direct the Board of Trustees of the Montana State Reform School at Miles City, Montana, to finish and complete the construction and furnishing of the Girls building at said Montana State Reform School; also, to authorize, empower and direct the construction of a Hospital Building at said Reform School and to appropriate money for all said purposes", do hereby return the same with the recommendation that it be concurred in.

ANNIN, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

We, your Committee on Public Buildings, having had under consideration Senate Bill No. 124, being a Bill for an Act entitled "An Act to appropriate money to pay to the owners of Bonds heretofore issued by the State Board of Land Commissioners under the name of the State University, State Normal School, Agricultural College, and Deaf and Dumb School of the State of Montana, an amount equal to the interest due and accruing on the Interest Coupons attached to said bonds, and maturing on or before January 1, 1909, and to authorize the State Board of Examiners to call in said bonds in the order of their issuance and to pay and cancel the same, and to appropriate money for such purposes," do hereby return the same with the recommendation that it do pass.

ANNIN, Chairman.

Report adopted and Bill referred to Steering Committee.

Following communications from the House received and read:

House of Representatives, Helena, Montana, February 23rd, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bill No. 40 having been read a third time and concurred in by the House is herewith returned.

Respectfully,

NATHAN GODFREY, Chief Clerk.

Bill referred to Committee on Enrolled Bills.

On motion of Martien Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

Sanders in the chair.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 25th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

Senate Bill No. 97 do pass.

That S. B. No. 100 do pass.

That H. B. No. 39 be concurred in.

That Sub. for H. B. No. 45 be concurred in.

That H. B. No. 285 be concurred in.

SANDERS, Chairman.

On motion of Sanders report adopted, and Senate Bills Nos. 97 and 100 refered to Committee on Engrossed Bills.

House Bills Nos. 39, Sub. for H. B. No. 45 and H. B. No. 285 referred to calendar for third reading.

By unanimous consent rules were suspended and the following Bills considered read a third time at length, read by title only:

H. B. No. 39 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley.—21.

Noes: White.—1.

Absent and not voting: Cowgill, Donlan, Muffly, Rae, Truscott.—5.

Title agreed to.

Sub. for H. B. No. 45 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—24.

Noes.—None.

Absent and not voting: Cowgill, Muffly, Rae.—3.

Title agreed to.

H. B. No. 285 concurred in by the following vote:

Ayes: Albright, Bielenberg, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—24.

Noes.—None.

Absent and not voting: Cowgill, Muffly, Rae.—3.

Title agreed to.

Donlan moved to reconsider the vote by which House Bill No. 89 was indefinitely postponed yesterday in Committee of the Whole.

Motion carried.

Donlan moved that the House be informed of the action of the Senate on House Bill No. 89 and request the return of the same to the Senate.

Motion carried.

Annin moved that in the future the title of all Bills be included in the report of Standing Committees.

Donlan moved that the motion be laid on the table.

Motion carried.

By unanimous consent rules were suspended and Edwards allowed to introduce the following Resolution without previous notice.

S. J. R. No. 5: By Edwards. Relating to the dismissal of actions against the State Treasurer.

Glidden moved the adoption of the Resolution.

Long moved that the resolution be laid on the table.

Martien demanded a roll call.

On roll call the motion to lay on the table was lost by the following vote:

Ayes: Annin, Cowgill, Everett, Fairbanks, Long Martien, McCone, Romney, Truscott.—9.

Noes: Albright, Bielenberg, Cardwell, Donlan, Edwards, Glidden, Harper, Haviland, Metcalf, Miles, McCarthy, McDonnell, McLean, Sanders, Tooley, White.—16.

Absent and not voting: Muffly, Rae.—2.

Whereupon the vote recurring upon the original motion the Resolution was adopted.

By unanimous consent rules were suspended and Long and Rae were allowed to introduce Bills without previous notice.

Following Bills were read first and second times:

S. B. No. 128: By Long. A Bill for an Act to procure and preserve a uniform system of indexing and cross indexing the Session Laws of the State of Montana.

Referred to Committee on Judiciary.

S. B. No. 129: By Rae. A Bill for an Act entitled "An Act authorizing the State Furnishing Board of the State of Montana to purchase cabinets for the departments of State Mine Inspector and State Coal Mine Inspector and appropriating money to pay for the same.

Referred to Committee on Finance and Claims.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 323, being a Bill for an Act entitled "An Act appropriating money for the payment of deficiency claims, account requisitions", after having had the same under consideration, hereby recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 322, being a Bill for an Act entitled "An Act appropriating money for the payment of claims of J. M. Lewis for services and for expenses incurred", after having the same under consideration, hereby recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26th 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bills Nos. 320 and 321, being a Bill for an Act entitled "An Act appropriat-

ing money for the payment of deficiency claim of the Rocky Mountain Bell Telephone Company" recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill No. 65, being a Bill for an Act entitled "An Act appropriating money for the erecting and equipping of additional buildings for the State Orphan Home at Twin Bridges, Montana, and for the construction of a sewerage system in connection with the same" after having had the same under consideration, hereby recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

Approved: EDWIN L. NORRIS, President of the Senate.

FIFTY-SECOND DAY

Helena, Montana, February 27th, 1907.

Senate convened at 10:30 A. M.

President in the chair.

Roll called, quorum present.

Prayer by the Chaplain.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Steering begs leave to report as follows: We recommend that the following Bills be placed on General File: Senate Bills Nos. 50, 85, 93, 101, 110, 112, 118, 121, House Bills Nos. 65, 78, 320, 321, 322, 323.

DONLAN, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bills numbered 8 and 40, beg leave to report as follows:

That the same have been correctly enrolled.

Respectfully submitted,

COWGILL, Acting Chairman.

Report adopted.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Roads, Highways and Bridges, have had under consideration House Bill No. 9 and return the same without recommendation.

COWGILL, Chairman

McCarthy moved that the Bill be referred to Steering Committee.

Motion carried and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Public Morals, to whom was referred H. B. No. 120, a Bill for an Act entitled "An Act regarding pool-rooms, pool selling and registering of bets, and to prevent the keeping of pool-rooms, bookmaking and pool selling, and recording of bets, and to provide civil and criminal liabilities and penalties for the violation of its provisions, and civil actions for the recovery of money lost on any pool or bet sold or registered contrary to this Act and repealing and prohibiting ordinances on the subject, and repealing acts in conflict herewith," having had the same under consideration respectfully report the same back with the recommendation that it do pass.

CARDWELL, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

We, your Committee on Public Buildings, having had under consideration House Bill No. 74, A Bill for an Act entitled "An Act to authorize the erection and equipment of a building at the Montana Agricultural College, and Experiment Station at Bozeman, Montana, for the use of the departments of Agriculture, Horticulture, Animal Husbandry, Veterinary and Domestic Science, and making an appropriation therefor," do respectfully recommend that said Bill be amended as follows: By striking out in line 1, Section 1 of the printed bill the words and figures "Eighty Thousand Dollars, ($80,000) and substitute in lieu thereof the words and figures, Sixty Thousand Dollars, ($60,000).

That all of Section 2 be stricken out. That the figure 3 in line 10, Section 3, be stricken out and the figure 2 substituted in lieu thereof.

That the figure 4, in line 15, Section 4, be stricken out and the figure 3 substituted in lieu thereof, and that as amended the Bill be concurred in.

ANNIN, Chairman.

On motion of Annin report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred Senate Bill numbered 92, beg leave to report as follows:

We have had the same under consideration and recommend that the same be indefinitely postponed.

Respectfully submitted.

DONLAN, Chairman.

White moved the adoption of the report.

Annin moved as an amendment that the report of Committee be not adopted and Bill be referred to Printing Committee.

Amendment motion carried and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred Senate Bill numbered 126, beg leave to report as follows:

We have had the same under consideration and recommend that the same be printed.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bills numbered 97 and 100 beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for Third Reading.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Public Buildings, having had under consideration House Bill No. 43, being a Bill for an Act entitled "An Act appropriating money for the completing, furnishing and equipping of the building for the feeble minded of the Montana School for the Deaf and Blind at Boulder, Montana, and for the fittings and furnishings of the Industrial Building and Gymnasium, for the feeble minded at the Montana School, for the Deaf and Blind at Boulder, Montana, and for the erection and equipping of an additional building for Hospital and other purposes at said Institution, and also for the farm connected with the said Montana School for the Deaf and Blind at Boulder, Montana, do recommend that the title be amended by striking out the words "And for the erection and equipment of an additional building for Hospital and other purposes at said institution".

That Section 3 of said Bill be stricken out.

That the figure 4 in line 14, Section 4, be stricken out and the figure 3 be substituted in lieu thereof.

That the figure 5, in line 18, Section 5, be stricken out and the figure 4 be substituted in lieu thereof, and as amended that the said bill be concurred in.

ANNIN, Chairman.

On motion of Miles report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Corporations other than Municipal having had House Bill No. 271 under consideration, which is a Bill for an Act entitled "An Act relating to banking, brokerage, exchange, loan and deposit busi-

ness, and amending Section 986 of the Penal Code of the State of Montana, respectfully report that the same be concurred in.

MILES, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, having had House Bill 186 under consideration, which is a Bill for an Act entitled "An Act to compel Street Railway Companies to protect certain of their employees from inclemencies of the weather, while performing services, and providing penalties for violation of the same" respectfully report that the same be concurred in.

MILES, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Federal Relations to whom was referred House Joint Memorial No, 1, petitioning Congress to enact such Legislation as will result in the opening of the Fort Peck Indian Reservation, respectfully report that they have had the same under consideration, ad recommend that the same do pass.

MUFFLY, Chairman.

Report adopted and Memorial referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, having had House Bill No. 121 under consideration, which is a Bill for an Act entitled "An Act to amend Section 666, Title IV, Chapter I of the Political Code relating to the filing of annual statements by certain corporations," respectfully report that the same be concurred in.

MILES, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, having had House Bill No. 149 under consideration, which is a Bill for an Act entitled "An Act regulating Life Insurance Companies, and prohibiting the diversion of funds for political purposes" respectfully report that the same be concurred in.

MILES, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, having had House Bill No. 146 under consideration, which is a Bill for an Act entitled "An Act to prohibit discrimination by life insurance companies, and providing penalties for violation", respectfully report that the same be concurred in, with the following amendments:

In Section 1, line 3, after the word "individuals" strike out the word

"whether". In the same line after the word "Montana" strike out the following words "Or of any other state".

MILES, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bills Nos. 109, 120 and 122 correctly printed.

SANDERS, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Libraries, to whom was referred Senate Joint Resolution No. 4, being a resolution providing for appointment by the Governor of a Commission of three to investigate Library Extension Work, and to report to the Eleventh Legislative Assembly, beg leave to report:

That they have duly considered said Resolution and respectfully recommend that it be indefinitely postponed.

BIELENBERG, Chairman.

On motion of White report adopted and Resolution indefinitely postponed.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Stockgrowing and Grazing, to whom was referred Senate Bill No. 125, a Bill for an Act to amend Sections 3000 and 3013 of the Political Code, and the acts amendatory thereof, relating to the appointment of a State Veterinary Surgeon, his qualifications and salary, beg leave to report back that they have had the same under consideration and respectfully recommend that it do pass.

BIELENBERG, Chairman.

Report adopted and Bill refered to Printing Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 204, a Bill for an Act entitled "An Act to provide for the appointment of Boards of Examiners for applicants for certain positions in and about Coal Mines, prescribing their duties and term of office, and providing for the salaries of such Boards, hereby recommend that the same be indefinitely postponed.

Respectfully submitted,

McCONE, Chairman.

On motion of McCone report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 225, A Bill for an Act entitled "An Act providing for the payment of certain expenses incurred by the Board of Stock Commissioners with relation to Bounty fraud cases and bounty supplies, from the Bounty fund".

Recommend that the same be indefinitely postponed.

Respectfully submitted,

McCONE, Chairman.

On motion of McCone report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 241, a Bill for an Act entitled "An Act authorizing the appointment of a third assistant to the Attorney General, and authorizing the employment of an additional stenographer for the Attorney General's Office.

Hereby return the same without recommendation.

Respectfully submitted,

McCONE, Chairman.

On motion of Donlan Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred Senate Bill No. 127, a Bill for an Act entitled "An Act to amend Section 864, Part III, Title I, Chapter VI, Article I, Political Code of Montana, concerning the salary of the Marshall of the Supreme Court," having had the same under sideration recommend that it do not pass.

Respectfully submitted,

McCONE, Chairman.

On motion of McCone report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred Senate Bill numbered 129, a Bill for an act entitled "An Act authorizing the State Furnishing Board of the State of Montana to purchase cabinets for the Departments of State Mine Inspector and State Coal Mine Inspector and appropriating money to pay for the same" recommend that the same do pass.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill Referred to Printing Committee.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Public Lands, to whom was referred House Joint Memorial No. 4, relating to incorporation by the General Government within forest reserves of vast areas within this state, etc., beg leave to report that they have carefully considered the same and recommend that the same be concurred in.

McLEAN, Chairman.

Report adopted and Memorial referred to Steering Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 183, a Bill for an Act entitled "An Act approving bounty claim of Stockmens, National Bank, of Ft. Benton, Montana, and providing for payment thereof.

Recommend that it be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 276, a Bill for an Act entitled "An Act to amend Section 402 Article V, Chapter III, Part III, Title I, of the Political Code, providing for the distribution of published copies of the Senate and House Journals," recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 277, being a Bill for an Act entitled "An Act to amend Sections 1 and 8 of Article 5 of Chapter 106 of the Laws of 1905, and providing for the payment of interest on cost of constructing drains where payment is extended for more than one year", recommend that it be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 158, a Bill for an Act entitled "An Act appropriating money for the erection and completion of a Library Building for the University of Montana at Missoula, Montana, for enlarging the heating plant and connecting the same with the library building, and for cement walks nesessary to connect said Library with other buildings at said University, and with the street, and for certain improvements on University grounds", beg leave to report as follows:

That the said Bill be amended in Section 1, by striking out the words "Fifty Thousand Dollars", and the figures "(50,000.00)" and inserting in lieu thereof the words "Thirty Thousand Dollars", and figures "($30,000.00)"

Also amend Section 3 by striking out the words "Sixty Thousand Dollars" and the figures "($60,000.00)" and inserting in lieu thereof the words "Thirty Thousand Dollars "($30,000.00)".

Also amend Section 3 by striking out the words "Twenty-five Thousand Dollars" and the figures "(25,000.00)", and inserting in lieu thereof the words "Twenty thousand dollars", and the figures "($20,000.00)".

Also amend Section 3 by striking out the words "Thirty-five thousand dollars", and the figures "($35,000.00)", and inserting in lieu thereof the words "Ten Thousand Dollars" and the figures "($10,000.00)".

And respectfully recommend that as amended the Bill be concurred in.

McCONE, Chairman.

On motion of McCone report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 161, being a Bill for an Act entitled, "An Act to amend Section 66 of the Code of Civil Procedure of the State of Montana, respecting the civil jurisdiction of Justices of the Peace", beg leave to report:

That they have duly considered said Bill, and respectfully recommend that it be amended as follows:

Strike out all of Sub-division 2 in Section I, and insert in lieu thereof as follows:

"In actions for damages not exceeding three hundred dollars for taking, detaining or injuring personal property, or for injury to real property where no issue is raised by the verified answer of defendant involving the title to or possession of the same; in actions for damages not exceeding three hundred dollars for injury to the person, provided that in actions for false imprisonment, libel, slander, criminal conversation, seduction, malicious prosecution, bastardy, abduction and alienation of affections, the Justice of the Peace shall not have jurisdiction".

And as amended recommend that the Bill be concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred House Joint Memorial No. 2; also

House Bill No. 212, being a Bill for an Act entitled: "An Act to require an annual apportionment and accounting of surplus of Life Insurance Companies"; also

House Bill No. 221, being a Bill for an Act entitled, "An Act to add to Article VI, Chapter III, Title I, Part 3 of the Political Code, a section to be numbered 428, Providing for the cancellation by the State Auditor, at the expiration of a specified period, of all warrants returned or uncalled for"; also

House Bill No. 226, being a Bill for an Act entitled: "An Act to provide certain requirements of Life Insurance Companies organized in the State of Montana; and also relating to the admission of Life Insurance Companies organized in another state and applying to transact business in this State"; also

House Bill No. 230, being a Bill for an Act entitled, "An Act to amend Section 2865 of the Civil Code of the State of Montana relating to the period of time for which mortgages of personal property shall be valid; and to amend Section 3866 of the Civil Code of the State of Montana relating to the renewal of mortgages of personal property as amended by Chapter IV, Laws of 1903, approved March 4th, 1903, and as amended by an Act of the Legislative Assembly of the State of Montana, approved February 28, 1905"; also

House Bill No. 323, being a Bill for an Act entitled: "An Act to amend Section 2070 of the Penal Code of Montana, and to repeal an Act approved February 15th, 1901, relating to method of procedure in the trial of criminal actions"; also

House Bill No. 272, being a Bill for an Act entitled, "An Act to provide for the appointment of a Commissioner to compile and revise the Codes and other laws of Montana, and to provide for the publication of such Codes, to provide for the compensation of such Commissioner and to make an appropriation therefor"; also

House Bill No. 304, being a Bill for an Act entitled: "An Act to amend Section 670 of Chapter I, Title IV of the Civil Code, relating to Insurance Companies"; beg leave to report, that they have duly considered said Bills, and respectfully recommend that they be concurred in.

WHITE, Chairman.

Report adopted and Bills referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26, 1907.

Mr. President:

Your Committee on Libraries, to whom was referred House Bill No. 181, being a Bill for an Act entitled: "An Act to amend Section 2391 of Chapter III, Article I, Part III, Title V, Political Code of Montana, to repeal Section 2396 of said Chapter, relating to the librarians and their salaries, and to add a certain new Section to said Chapter III, to be designated as Section 2401, relating to assistant librarians and their salaries;" beg leave to report, that they have duly considered said Bill and respectfully recommend that Section 2301, as it appears in the Bill be amended to read as follows:

Section 2391. The annual salary of the Librarian of the Law Library shall be Eighteen Hundred Dollars, and the salary of the Librarian of the Historical Library shall be Eighteen Hundred Dollars, from and after April 1st, 1907; payable monthly out of the General Fund of the State Treasury.

That Section 2401 as it appears in the Bill be amended to read as follows:

Section 2401: The Librarian of the Historical and Miscellaneous Department is hereby authorized and empowered to engage and employ two assistant librarians for said department at an annual salary as follows: The First Assistant Librarian shall receive a salary of Twelve Hundred Dollars per annum and the Second Assistant Librarion shall receive a salary of Nine Hundred Dollars per annum—payable monthly out of the General Fund of the State Treasury. The Librarian of said Department and each assistant shall be persons educated and experienced in Library Work, and shall be of good moral character; and as amended recommend that the Bill be concurred in.

BIELENBERG, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill No. 128, being a Bill for an Act entitled, "An Act to procure and preserve a uniform system of indexing and cross-indexing the session laws of the State of Montana, beg leave to report that they have duly considered said Bill and respectfully recommend that it be passed.

WHITE, Chairman.

Report adopted and Bill referred to Printing Committee.

S. B. No. 32 referred to Committee on Enrolled Bills.

Senate Chamber, Helena, Montana, February 26, 1907.

Mr. President:

Your Committee on Counties, Towns and Municipal Corporations, to whom was referred House Bill No. 182, beg leave to report as follows:

We have had the same under consideration and recommend the following amendments:

To amend Section 12 in line 153, by striking out after the word "town" the balance of the Section, and inserting in lieu thereof, "Provided that such salary shall not exceed in Counties of the First, Second and Third Classes, Two Thousand ($2,000) Dollars per annum, and in Counties of the Fourth and Fifth Classes, Twelve Hundred ($1200) Dollars per annum, and in Counties of the Sixth, Seventh and Eighth, not to exceed Six Hundred ($600) Dollars per annum, and provided further, that in all cases the State Board of Health shall have supervisory control over the action of all local, county, city, or district Health Officers who shall in all respects, be subject to the direction of the State Board, and to amend Section 25, by striking out all of said Section and inserting in lieu thereof, "The State Board of Health shall have the power, and it shall be their duty to issue and enforce reasonable rules for the restriction and prohibitation of any person or persons suffering from a communicable infectious or contagious disease travelling on public conveyance, and shall issue reasonable rules and regulations to the disinfection of passenger cars or any other public conveyance in which any person or persons suffering from the contagious, infectious, or communicable disease has been travelling, and recommend that the same be concurred in as amended.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 26, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 131, being a Bill for an Act entitled, "An Act requiring all mortgages or other instruments given for the security of a debt or obligation and all assignments, to show the true name and residence of the parties thereto, and in case such parties are non-residents, requiring certain affidavits to be made a part thereof, and fixing penalties for making false statements therein"; also

House Bill No. 176, being a Bill for an Act entitled, "An Act to amend Section 4648 of the Political Code of Montana relating to the fees and mileage of witnesses, also

House Bill No. 228, being a Bill for an Act entitled, "An Act to amend Section 132 and 134 of the Civil Code of the State of Montana, and to amend Article II, of Chapter II, of Title I, of Division I of said Civil Code, by adding thereto a Section to be numbered Section 147, which Section 147 defines incompatibility of temper as cause for divorce", beg leave to report that they have duly considered said Bills and respectfully recommend that they be not concurred in.

WHITE, Chairman.

On motion of White report adopted and Bills indefinitely postponed.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Counties, Towns and Municipal Corporations, having duly considered House Bill No. 157, being a Bill relating to the salaries of the

various Deputy County Officers, report the same back and recommend the following amendments thereto:

That the line reading "Counties of the Fourth, Fifth and Sixth Classes", be changed so as to read "Counties of the Fourth and Fifth Classes, and that the line reading, "Counties of the Seventh and Eighth Classes", be changed so as to read, "Counties of the Sixth, Seventh and Eighth Classes"; and that the Bill be further amended by changing the salary of the Deputy Clerk of the District Court in Counties of the Sixth, Seventh and Eighth Classes from One thousand two hundred dollars to One thousand dollars, and that as amended it is recommend that said Bill be concurred in.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill referred to Steering Committee.

The following communication from His Excellency, the Governor, received and read:

Executive Office, Helena, Montana, February 26, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana.

The following Senate Bills have been approved and deposited with the Secretary of State:

No. 7. An Act to amend Section 1192 of the Penal Code of the State of Montana, making it unlawful to wrongfully and without authority use the name, title of officers, insignia, ritual or ceremony of certain orders and societies, and providing punishment for the violation of the provisions of this Act.

No. 17. An Act authorizing and directing the transfer of all records and papers in any action or proceeding affecting real property in any new County heretofore created, or hereafter created and providing the method of transferring and certifying such records.

No. 13. An Act to amend An Act entitled, "An Act to amend the Act, entitled An Act to prevent wrong to children and dumb animals, and to establish a Bureau of Child and Animal Protection, approved March 7, 1903, and repealing Sections 1, 2, 3, 4, 5, 6, 7 and 8 of said Act", approved March 4, 1905.

No. 30. An Act entiteld, "An Act to provide for the incorporation, management and regulation of Mutual Companies for the insurance of the property of the members against loss or damage by fire or the elements".

No. 1. An Act entitled, An Act appropriating money for the relief and benefit of the Montana State Normal College".

No. 24. An Act to amend Section 4120 of the Political Code of Montana, defining the boundaries of Fergus County, Montana, so as to include the territory acquired by it under the provisions of an Act entitled, "An Act providing for the extension of the northern boundary of Fergus County, approved March 14, 1899".

Joint Resolution No. 1. A Resolution requesting Congress to call a Convention for the purpose of proposing an Amendment to the Constitution of the United States, which amendments shall provide for the election of United States Senators by direct vote of the people".

No. 15. An Act entitled, "An Act to prevent the obstruction, blockading or interfering with the free use of public highways where the said highways cross any railroad track outside of incorporated cities and towns within the State of Montana, and providing a penalty therefor".

No. 20. An Act to amend Section 4632, Part IV, Title II, of the Political Code of the State of Montana, relating to fees of Notaries Public".

No. 21. An Act entitled, "An Act to amend Section 552 of Article XIV, of Chapter III, of Title I, of Part III, of the Political Code of the State of Montana, relating to the Inspector of Boilers".

Senate Joint Memorial No. 1. Memorializing the Congress of the United States to provide for the allotment of Indian Lands, and to open the Blackfoot Reservation to settlement.

J. K. TOOLE, Governor.

The following communications from the House were received and read:

House of Representatives, Helena, Montana, February 26, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Committee on Judiciary: H. B. No. 406. A Bill for an Act embodying and to make uniform the law of Warehouse receipts.

By Miller of Lewis and Clark: H. B. No. 407. A Bill for an Act entitled, "An Act authorizing and directing the transfer of certain moneys from the Fish and Game Fund to the General Fund and appropriating money so transferred to pay for Grand Stand and make additional improvements at the State Fair Grounds".

By Shaw: H. B. No. 408. A Bill for an Act to amend Sections 220, 221, and 222, and repeal Section 224 of Chapter II, of Article V of the Political Code of the State of Montana, relating to the compensation of members, officers and employees of the Legislative Assembly".

Respectfully,

NATHAN GODFREY, Chief Clerk.

House of Representatives, Helena, Montana, February 26, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Mr. C. B Gibbs has been appointed Chief Clerk of the House made necessary by the resignation of Mr. Godfrey, who, however, will continue in an advisory capacity until the end of the Session, and that Mr. J. E. McIntire is appointed Assistant Chief Clerk, but will continue to discharge the duties of Bill Clerk.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 26, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 298 and 291 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 26, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bill was this day introduced, and read first and second times:

By Committee on Appropriations: H. B. No. 409. A Bill for an Act making appropriations for the Executive and Judicial Departments of the State

Government for two years, namely from February 28, 1907, to February 28, 1908, and from February 28, 1908, to February 28, 1909.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 26, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body, that having received a communication from the Senate for the return of House Bill No. 89 for your further action, that the same is herewith transmitted.

Respectfully,

C. B. GIBBS, Chief Clerk.

On motion of Donlan House Bill No. 89 was re-referred to Committee on Judiciary.

After giving notice President signed Senate Bill No. 40 and Senate Bill No. 80.

By unanimous consent rules were suspended and the following Bills read a first and second time by title only:

H. B. No. 298: By Scallon. A Bill for an Act embodying the law of sales of goods and to make uniform the law relating thereto.

Referred to Committee on Judiciary.

H. B. No. 291: By Miller of Park. A Bill for an Act entitled "An Act to require railroad, telegraph and express Companies doing business in the State of Montana to maintain telephones in its offices and to answer calls made over such telephone connections during business hours, and to provide a penalty for the violations of the provisions of this Act.

Referred to Committee on Railroads and Transportation.

White moved that all employees be required during remainder of Session to report and register as being present not later than 9:30 A. M. of each day. Any employee not complying herewith shall not be placed on the pay roll for such day; Provided that, the President and Secretary may excuse any employee for good cause shown.

Motion carried.

On motion of Martien Senate resolved itself into Committee of the Whole to consider Bills on the General File with,

McCarthy in the Chair.

On motion of White committee arose and asked leave to sit again.

Senate resumed.

President in the Chair.

After giving notice President signed House Bills Nos. 188, 159, 208, 115, 39, 169, 285, and 145.

Committee of the Whole resumed.

McCarthy in the Chair

Committee arose.

Senate resumed.

President in the Chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

S. B. No. 50 do pass.

That S. B. No. 85 do pass.

That S. B. No. 93 be amended in Section 1 by inserting the words "and having power for sale" after the word "Montana" in line 2, also, amend by striking out in line 3 Section 1 after the word "same" the following: "without discrimination as to price or other terms or conditions of such sale".; and that as amended the Bill do pass.

That S. B. No. 101 do pass.

That S. B. No. 110 do pass.

That S. B. No. 112 do pass.

That S. B. No. 118 be re-referred to the General File for tomorrow.

That S. B. No. 121 do pass.

That H. B. No. 65 be concurred in.

That H. B. No. 78 be concurred in.

That H. B. No. 320 be concurred in.

That H. B. No. 321 be concurred in.

That H. B. No. 322 be concurred in.

That H. B. No. 323 be concurred in.

McCARTHY, Chairman.

On motion of Donlan report adopted, and Senate Bills Nos. 50, 85, 93, 101, 110, 112, and 121 referred to Committee on Engrosed Bills.

Senate Bill No. 118 re-referred to General File.

House Bills Nos. 65, 78, 320, 321, 322, and 323, referred to Calendar for Third Reading.

By unanimous consent rules were suspended and the following Bills were considered read at length, read by title only.

S. B. No. 97 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf Miles, McCarthy, McCone, McLean, Romney, Sanders, Tooley, Truscott, White.—20.

Noes—None.

Absent and not voting: Albright, Cowgill, Donlan, Glidden, Muffly, McDonnell, Rae.—7.

Everett moved to amend the title by adding: relating to the publishing of Estray Notices".

Motion carried.

Title as amended agreed to.

S. B. No. 100 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McLean, Romney, Sanders, Tooley, Truscott, White.—21.

Noes—None.

Absent and not voting: Cowgill, Donlan, Glidden, Muffly, McDonnell, Rae.—6.

Title agreed to.

H. B. No. 65 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McLean, Romney, Sanders, Tooley, Truscott, White.—20.

Noes—None.

Absent and not voting: Cowgill, Donlan, Glidden, Harper, Muffly, McDonnell, Rae.—7.

Title agreed to.

H. B. No. 78 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McLean, Romney, Sanders, Tooley, Truscott, White.—21.

Noes—None.

Absent and not voting: Cowgill, Donlan, Glidden, Muffly, McDonnell, Rae.—6.

Title agreed to.

H. B. No. 320 concurred in by the following vote.

Ayes: Albright, Annin, Bielenberg, Cardwell, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McLean, Romney, Sanders, Tooley, Truscott, White.—22.

Noes—None.

Absent and not voting: Cowgill, Glidden, Muffly, McDonnell, Rae.—5.

Title agreed to.

H. B. No. 321 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney Sanders, Tooley, Truscott, White.—21.

Noes—None.

Absent and not voting: Albright, Cowgill, Donlan, Glidden, Muffly, Rae. —6.

Title agreed to.

H. B. No. 322 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—22.

Noes—None.

Absent and not voting: Albright, Cowgill, Donlan, Muffly, Rae.—5.

Title agreed to.

H. B. No. 323 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Sanders, Tooley, Truscott, White.—22.

Noes—None.

Absent and not voting: Albright, Donlan, Muffly, Rae, Romney.—5.

Title agreed to.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

Approved: EDWIN L. NORRIS, President of the Senate.

FIFTY-THIRD DAY

Helena, Montana, February 28, 1907.

Senate convened at 10:30 A. M.

President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

An invitation from the benevolent and Protective Order of Elks, of Helena, Montana, to attend a social session at their Hall on Monday Evening, March 4th, was received, and read.

Secretary was instructed to extend acceptance and thanks of the Senate.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Steering Committee begs leave to report the following Bills for General File: Senate Bills Nos. 109, 120, 118, 122, House Joint Memorials Nos. 1, 2, 4, House Bills Nos. 121, 146, 149, 157, 161, 181, 186, 221, 212, 226, 230, 233, 241, 271, 272, 276, 304.

DONLAN, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bills Nos. 59, 102, 105 and Substitute for Senate Bill No. 113, correctly printed.

SANDERS, Chairman.

Report adopted and Bills referred to Steering Committee.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

We, your Committee on Public Buildings, having had under consideration Substitute for House Bills Nos. 19 and 44, being a Bill for an Act entitled, "An Act to authorize the construction, furnishing, and equipment of a Hospital Building, including plumbing and architect's fees, at the Montana Soldiers Home at Columbia Falls; to provide for the heating of all buildings at said Soldiers Home, including said Hospital, and appropriating money therefor, beg leave to report, that said Bill be amended as follows:

Strike out the words and figures in Section 3, "Thirtyseven Thousand, Three Hundred Dollars ($37,300.00") and substitute in lieu thereof "Twenty-Three Thousand Dollars ($23,000.00)", and as amended the Bill be concurred in.

ANNIN, Chairman.

On motion of Miles report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 246, being a Bill for an Act entitled "An Act to repeal Section 4049 of the Political Code and to enact in lieu thereof, a Section to be numbered Section

4049 of the Political Code, providing for a lien on property used in any trade, occupation or business for which a license is required, and for the seizure and sale of such property upon default in payment of such license"; beg leave to report, that they have duly considered said Bill and respectfully recommend that it be not concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Enrolled Bills, beg leave to report that Senate Bills Nos. 8, 15, 20, 21, 40, 44 and Senate Joint Memorial No. 1 have been signed by the Speaker of the House and delivered to his Excellency, the Governor.

COWGILL, Acting Chairman.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bill No. 32, beg leave to report as follows:

That the same has been correctly enrolled.

Respectfully submitted,

COWGILL, Acting Chairman.

Senate Chamber, Helena, Montana, February 26th, 1907.

Mr. President:

Your Committee on Roads, Highways and Bridges, have had under consideration House Bill No. 80, and recommend that the same be indefinitely postponed.

COWGILL, Chairman.

On motion of Martien report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred House Bill No 166, being a Bill for an Act entitled, "An Act regulating the sale of merchandise in bulk, and making provisions for the protection of the creditors of the vendor".

Also, House Bill No. 298, being a Bill for an Act embodying the law of Sales of Goods, and to make uniform the law relating thereto;

Also, House Bill No. 163, being a Bill for an Act entitled "An Act to amend Section 603 of the Political Code of the State of Montana, relating to the refusal to grant certificates to practice medicine and surgery by the State Board of Medical Examiners, providing for the revocation of such certificates, and prescribing the procedure on appeal from the action of State Board of Medical Examiners"; respectfully report and recommend that said Bills be concurred in.

WHITE, Chairman.

Report adopted and Bills referred to Steering Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Labor and Capital to whom was referred House Bill numbered 128, being a Bill for an Act Prohibiting the Employment of Children under the age of sixteen years, beg leave to report that the Bill be amended by

striking out all of line 8 and 9 preceding the word "or" where it last occurs, and as amended recommend that the Bill be concurred in.

Respectfully submitted,

McCARTHY, Chairman.

On motion of Albright report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 27th, 1907.

Mr. President:

Your Committee on Labor and Capital to whom was referred Substitute for House Bill No. 259, being an Act prescribing the hours of labor in and around Coal Mines, respectfully report and recommend that Bill be concurred in.

Respectfully submitted,

McCARTHY, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Corporations other than Municipal having had under consideration S. B. No. 111, being a Bill for an Act entitled "An Act relating to bonds issued as security in the State of Montana by foreign or domestic surety companies lawfully doing business in the State", respectfully report back that the same do pass.

MILES, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 114, being a Bill for an Act to amend Chapter XII of Title X, of Part III of the Political Code by adding thereto a Section to be known as Section number 4027;

Also, A Bill for an Act relating to Banks and Banking; providing for the organization, management, control, regulation and supervision of same, providing penalties for the violations of the provisions of this Act, repealing Sections 570 to 585, inclusive, being all of Division I, Part IV, Title II of the Civil Code of Montana, providing that all persons doing a banking business shall comply with the provisions of this Act, providing for the assessment and taxation of Banks, repealing Section 4061 of the Political Code of Montana, relating to licenses; beg leave to report, that they have duly considered said Bills and respectfully recommend that they be indefinitely postponed.

WHITE, Chairman.

On motion of White report adopted and Bills indefinitely postponed.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill No. 58, being a Bill for an Act entitled "An Act to provide security to the public against errors, omissions, and defects in abstracts of title of real estate, and for the use of abstracts in evidence, and to provide a penalty for the violations thereof"; respectfully beg leave to report and recommend that further

consideration of the original Bill be indefinitely postponed, and that a substitute therefor, herewith submitted, do pass.

WHITE, Chairman.

On motion of White report adopted and Substitute Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 192, being a Bill for an Act entitled: An Act to amend Section 606 of the Political Code of the State of Montana, relating to the practice of medicine or surgery contrary to law, providing a penalty therefor and defining what evidence shall be deemed sufficient to constitute the practice of medicine or surgery"; beg leave to report:

That they have duly considered said Bill and respectfully recommend that the Bill be amended as follows: Strike out in the three last lines of Section 1 the words, "Nothing in this Act shall be construed to interfere in any manner with the practice of pharmacy as provided for by the statutes of this State", and inserting in lieu thereof the following:

"Nothing in this Act shall prohibit any legally licensed pharmacist or mercantile dealer from selling any drugs or medicines, which are now allowed to be sold under the laws of the State of Montana or the United States".

And as amended that the Bill be concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred Senate Bill No. 117, being a Bill for an Act entitled "An Act to prohibit the use of Trust Company and Savings Bank Titles unless the Company using such Title is incorporated under the Trust deposit and Security, and Savings, Bank Corporation laws of Montana", beg leave to report:

That they have duly considered said Bill, and respectfully recommend that further consideration of the original Bill be indefinitely postponed, and that a Substitute therefor, herewith submitted do pass.

WHITE, Chairman.

On motion of White, report adopted and Substitute Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Public Morals, having had under consideration House Bill No. 185, a Bill for an Act entitled "An Act regarding gambling, and to prohibit certain games, and the possession or use of certain implements and appliances, and the using or leasing of any premises for gambling purposes to provide for the enforcement of this Act and to provide civil and criminal liabilities and penalties for violation of its provisions and civil actions for the recovery of money lost at any of the games herein prohibited, and to repeal and prohibit City and Town ordinances on the subject and to repeal the Act approved March 15th, 1901, entitled "An Act to prohibit gambling within the

State of Montana to provide penalties for violations of the provisions of this Act and repealing an Act of the Fifth Regular Session of the Legislative Assembly of Montana, approved March 4th, 1897, and entitled "An Act to prohibit gambling within the State of Montana, and to provide penalties for a violation of the provisions thereof, and to provide for the enforcement thereof, and to repeal all laws in conflict with this Act and conflicting Acts, having had the same under consideration, respectfully report the same back with the recommendation that it do pass.

CARDWELL, Chairman.

Report adopted and Bill referred to Steering Committee.

Glidden moved that the vote by which the report of the Committee on House Bill No. 80 was adopted, indefinitely postponing the Bill, be reconsidered.

Martien moved that the motion be laid on the table.

Motion to lay on the table carried.

After giving notice the President signed Senate Bill No. 32.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, February 27th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day introduced and read first and second times:

By Joint Committee on State Penitentiary: H. B. No. 411. An Act appropriating money for the erection and completion of a Woman's Building, Hospital Building and additional wall at the State Prison, at Deer Lodge, Montana.

By Tudor: H. B. No. 412. A Bill for an Act appropriating money to defray the expenses of a joint committee appointed to investigate the State Prison at Deer Lodge.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 27th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 324, have been read a third time and passed by the House are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 27th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 50, 156, and 253, have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 27th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 281 and 302 have been read a third time and passed by the House

and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 27th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 314, 313, 325, 309 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 27th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bill was this day introduced and read first and second times:

By Marshall, by Request: H. B. No. 410. A Bill for an Act to repeal Section 4061 of the Political Code of Montana, relating to licenses.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 27th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bills Nos. 42 and 65 have been read a third time and concurred in by the House and are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 27th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bills Nos. 60 and 61 have been read a third time and concurred in by the House as amended and are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 27th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate amendment to House Bill No. 35 was not concurred in by the Committee of the Whole, and the Bill is herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 27th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Committee of the Whole recommend that Senate Bill No. 98 be not concurred in.

Report adopted and the Bill is herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

House amendments to S. B. No. 60, were, on motion of White, concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Fairbanks, Glidden, McLean, Rae.—4.

S. B. No. 60 referred to Committee on Enrolled Bills.

House amendments to S. B. No. 61, were on motion of Annin, concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCone, McDonnell, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Glidden, McCarthy, McLean, Rae.—4.

S. B. No. 61 referred to Committee on Enrolled Bills.

House of Representatives, Helena, Montana, February 27th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bills Nos. 41 and 55 have been read a third time and concurred in by the House also, Senate Bills Nos. 46 and 62 as amended, and are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

Senate Bills Nos. 41 and 55 referred to Committee on Enrolled Bills.

White moved that the Senate adhere to its amendments to House Bill No. 35.

Motion carried.

Donlan moved that the President appoint a conference Committee of three to confer with a like committee from the House concerning said amendments.

Motion carried.

The President appointed White, Everett and Long as such Conference Committee.

House Amendments to S. B. No. 46, were on motion of White concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: Rae.

S. B. No. 46 referred to Committee on Enrolled Bills.

House Amendments to Senate Bill No. 62 were on motion of Edwards concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Glidden, Rae.—2.

Senate Bill No. 62 referred to Committee on Enrolled Bills.

By unanimous consent rules were suspended and Long, Martien, and Everett, allowed to introduce Bills without previous notice.

The following Bill was read a first and second time.

S. B. No. 130: By Martien. A Bill for an Act entitled "An Act to amend Section 15 of Chapter 11, of the Laws of 1903 relating to the licensing of taxidermists.

Referred to Committee on Finance and Claims.

By unanimous consent rules were suspended and the following Bills were read first and second times by title only.

S. B. No. 131: By Long. A Bill for an Act entitled "An Act relating to the prevention of pollution of public water supplies used for domestic purposes, authorizing the adoption and promulgation by the State Board of Health of orders, rules and regulations for such purposes, providing for appeals to the superior Court from any orders from said board, and giving jurisdiction in equity to the superior Court to enforce orders, rules and regulations of said Board; authorizing the establishment and maintenance of an Experimental Station and providing penalties.

Referred to Committee on Judiciary.

S. B. No. 132 by Everett: A Bill for an Act entitled "An Act defining the duties of Railroads, Railroad Corporations, Railroad Companies, Express Companies, Car Companies, and every common carrier other than by water, and all person or persons operating such common carriers as receivers, lessee, or trustee, in the transportation of any kind of livestock, and providing an average minimum rate of speed of all trains carrying any such live stock, and providing penalties for all failures to comply with the provisions of this Act".

Referred to Committee on Railroads and Transportation.

Referring back to the fifth order of business the following communication from the House was received and read.

House of Representatives, Helena, Montana, February 28th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bills Nos. 35, 29, 68, 74 and 25 have been read a third time and as amended by the House are herewith returned for concurrence in the House amendments.

Respectfully,

C. B. GIBBS, Chief Clerk.

House Amendments to Senate Bill No. 35, were on motion of Everett concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Glidden, Rae.—2.

Senate Bill No. 35 referred to Committee on Enrolled Bills.

House Amendments to Senate Bill No. 29, were, on motion of Truscott concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Glidden, Rae.—2.

Senate Bill No. 29 referred to Committee on Enrolled Bills.

House Amendments for Substitute for Senate Bill No. 68 were, on motion of White, concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Muffly, McCone, Sanders, Tooley, Truscott, White.—21.

Noes—None.

Absent and not voting: Miles, McCarthy, McDonnell, McLean, Rae, Romney.—6.

Substitute for Senate Bill No. 68 referred to Committee on Enrolled Bills.

House amendments to Senate Bill No. 74 were on motion of Donlan concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Glidden, Rae.—2.

Senate Bill No. 74 referred to Committee on Enrolled Bills.

House amendments to Senate Bill No. 25 were on motion of White concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Glidden, Rae.—2.

Senate Bill No. 25 referred to Committee on Enrolled Bills.

Referring back to the Fifth Order of Business, the following communications from the House were received and read:

House of Representatives, Helena, Montana, February 28th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bills Nos. 90, 94 and 96 have been read a third time and concurred in by the House and are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

Senate Bills Nos. 90, 94 and 96 referred to Committee on Enrolled Bills.

House of Representatives, Helena, Montana, February 28th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Speaker has appointed a Conference Committee: Scallon, Marshall, and Moore to confer with a like committee of the Senate in House Bill No. 35.

Respectfully,

C. B. GIBBS, Chief Clerk.

Senate resumed first and second reading of Bills.

H. B. No. 324: By Committee on Livestock and Public Ranges. A Bill for an Act entitled "An Act to establish a State Livestock Sanitary Board, to provide for the appointment of Special Deputy State Veterinary Surgeons,

to define the duties and powers of said State Livestock Sanitary Board, and the duties and powers of the State Veterinary Surgeon, and deputies Veterinary Surgeon, with the State Livestock Sanitary Board, to provide for the eradication of disease in domestic animals, their quarantine, and sanitary inspection, to amend Section 3016 of the Political Code relating to the Stock Indemnity Fund, and to provide penalties for the violation of this Act, and to provide for the transfer of money from the General Fund to the Stock Indemnity Fund.

Referred to Committee on Stockgrowing and Grazing.

H. B. No. 156: By Walker. A Bill for an Act entitled "An Act to amend Sections 4957 and 4602 of the Political Code of the State of Montana, as amended by an Act entitled 'An Act to amend Sections 4597 and 4602 of the Political Code of the State of Montana, relating to the number of deputies allowed County Officers, Approved March 3, 1905, and as amended by an Act entitled 'An Act relating to the number of deputies allowed County Auditors in Counties of the First Class, and fixing the compensation of same, approved March 4, 1905, and as amended by an Act entitled, 'An Act relating to the number of assistants allowed the Clerk of the District in Counties of the First Class and fixing the compensation allowed to said Deputies and assistants in Counties of the First Class', Approved March 4, 1905, and as amended by an Act entitled An Act fixing the maximum number of deputy sheriffs in Counties of the first Class, and the maximum annual compensation thereof', approved March 4, 1905, and as amended by an Act entitled 'An Act relative to number of assistants allowed Treasurers in Counties of the First Class, and fixing the compensation allowed to said deputies and assistants in Counties of the First Class,' Approved March 4, 1905; and to repeal an Act entitled "An Act to amend Sections 3 and 4 of an Act entitled "An Act concerning the compensation of County and District Township officers," approved March 6, 1891, approved March 2, 1893, and to repeal an Act entitled "An Act to amend an Act entitled "An Act concerning the compensation of County, District and Township Officers," Approved March 9, 1893.

Referred to Committee on Counties, Towns, and Municipal Corporations.

H. B. No. 253: By Bennett. A Bill for an Act entitled "An Act entitled "An Act defining the crime of burglary, with explosives, and fixing punishment therefor.

Referred to Committee on Judiciary.

Sub. for H. B. No. 50: By Committee on Affairs of Cities, by request of Manchester. A Bill for an Act entitled "An Act to prohibit the sale of liquors and the erection or keeping of saloons outside of the corporate limits of Cities and towns and in the vicinity of Cemeteries or within one-half mile of parks to which the public is admitted free of charge or in which the sale of malt, vinous, spiritous and other intoxicating liquors is allowed and is not carried on".

Referred to Committee on Public Morals.

After giving notice the President signed House Bills Nos. 116, 320, 65 and 82.

Senate resumed first and second reading of Bills.

Sub. for H. B. No. 281: By Hess. A Bill for an Act entitled "An Act to regulate plumbing in Cities or Towns in the State of Montana, providing for licensing of persons to carry on the business and work of plumbing, creating

a Board of Plumbing Examiners, fixing the compensation of Plumbing Examiners, and providing penalties for violation of the same.

Referred to Committee on Labor and Capital.

H. B. No. 302: By Marshall. A Bill for an Act entitled "An Act to amend Section 2097 of the Penal Code of the State of Montana relating to trials in criminal cases.

Referred to Committee on Judiciary.

H. B. No. 313: By Barbour. A Bill for an Act entitled "An Act to amend Section 607 of the Political Code of the State of Montana, relating to the fees of candidates for examination for license to practice medicine and surgery in the State of Montana, and application thereof".

Referred to Committee on Judiciary.

H. B. No. 315: By Whiteside. A Bill for an Act entitled "An Act to regulate the confiscation of coal by railroads and common carriers, and providing penalties for the violation of this Act".

Referred to Committee on Railroads and Transportation.

H. B. No. 325: By Bennett. A Bill for an Act entitled "An Act regulating the sale and providing for the inspection of oils used for illuminating and heating purposes, and in automobiles, establishing a standard test therefor, and prescribing penalties.

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 309: By Scallon. A Bill for an Act entitled "An Act regarding the organization, management, control and discipline of the Police Departments of Cities and Towns, and providing for an Examining and Trial Board in connection therewith; for the appointment of members of the departments, and relating to the compensation of members of the Departments, and to other matters connected therewith".

Referred to Committee on Counties, Towns, and Municipal Corporations.

Committee on Education reported as follows:

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Education, to whom was referred House Bills Nos. 140 and 168, recommend that the same be concurred in.

Respectfully submitted,

TOOLEY, Chairman.

Report adopted and Bills referred to Steering Committee.

Martien moved that the vote by which House Bill No. 204 was indefinitely postponed be reconsidered.

Glidden moved that the motion to re-consider be laid on the table.

Motion to lay on the table carried.

On motion of Donlan, Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

Glidden in the Chair.

On motion of Everett, Committee arose and asked permission to sit again.

Senate resumed.

President in the Chair.

Recessed until 1:30 P. M.

Senate re-convened at 1:30 P. M.

President in the Chair.

Roll called. Quorum present.

Committee of the Whole resumed, with
Glidden in the Chair.
Committee arose.
Senate resumed.
President in the Chair.
Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend, that

S. B. No. 109 do pass.

That S. B. No. 118 do pass.

That S. B. No. 120 be withdrawn from the General File and re-referred to Committee on Judiciary.

That S. B. No. 122 do pass.

That H. J. M. No. 1 be concurred in.

That H. J. M. No. 2 be concurred in.

That H. J. M. No. 4 be amended by inserting in said Bill all of lines 20 to 26 inclusive of the Printed Bill, and that as amended be concurred in.

That H. B. No. 121 be concurred in.

That H. B. No. 146 be concurred in.

That H. B. No. 149 be concurred in.

That H. B. No. 157 be withdrawn from General File, and re-referred to Committee on Counties, Towns and Municipal Corporations.

That H. B. No. 161 be concurred in.

That H. B. No. 181 be amended in Section 1 by striking out in the amendment made by the Senate Committee on Libraries the words "Eighteen Hundred Dollars" where such words first occur, and inserting in lieu thereof the words "Two Thousand Dollars", and that as amended the Bill be concurred in.

That H. B. No. 182 be amended in Section 5 by striking out in line 59 the word "and" where it first appears in said line, and inserting in lieu thereof the word "in". Amend Section 35, by striking out in line 352 the word "action" and inserting in lieu thereof the word "Act". Amend Section 38 by striking out in line 371, the word "He", and that as amended the Bill be concurred in.

That H. B. No. 186 be concurred in.

That H. B. No. 221 be concurred in.

That H. B. No. 212 be concurred in.

That H. B. No. 226 be concurred in.

That H. B. No. 230 be concurred in.

That H. B. No. 233 be concurred in.

That H. B. No. 241 be concurred in.

That H. B. No. 271 be concurred in.

That H. B. No. 272 be concurred in.

That H. B. No. 276 be concurred in.

That H. B. No. 304 be concurred in.

GLIDDEN, Chairman.

On motion of McCarthy report adopted, and Senate Bills Nos. 109, 118, 122, referred to Committee on Engrossed Bills.

Senate Bill No. 120 re-referred to Committee on Judiciary.

House Bill No. 157 re-referred to Committee on Counties, Towns and Municipal Corporations.

H. J. M. No. 1, H. J. M. No. 2, and H. J. M. No. 4 and House Bills Nos. 121, 146, 149, 161, 181, 182, 186, 221, 212, 226, 230, 233, 241, 271, 272, 276, and 314 referred to Calendar for Third Reading.

Committee on Engrossed Bills reported as follows:

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 85, beg leave to report as follows, that the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for third reading.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bills No. 50, 101, 110, 112, and 121 beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills referred to Calendar for third reading.

Committee on Enrolled Bills reported as follows:

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bill No. 35 beg leave to report as follows:

That the same has been correctly enrolled.

Respectfully submitted,

COWGILL, Acting Chairman.

After giving Notice President signed Senate Bill No. 35.

Referring back to Second Order of Business Standing Committees reported as follows:

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Fish and Game having had under consideration S. B. Nos. 115 and 108 respectfully report back and recommend that Substitute for Senate Bills Nos. 115, and 108, the herein reported Bill being a Bill for, "An Act entitled "An Act permitting residents of Montana to fish without a license, and regulating the fishing license for non-residents; permitting Forestry Officers to secure a resident's hunting license, providing for the State Auditor to furnish License Blanks, and providing additional duties for the State Game and Fish Warden, and Special Deputy Game and Fish Wardens", and recommend that the Substitute Bill do pass.

Respectfully,

MILES, Chairman.

On motion of Miles, report adopted and Substitute Bill referred to Committee on Printing.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 91, being a Bill for an Act entitled "An Act to require paddle wheels or screens, to be placed in all ditches, and canals for the protection of Fish", beg leave to report that they have had said Bill under consideration, and recommend that it be indefinitely postponed.

EVERETT, Chairman.

On motion of Martien, report adopted, and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 89 being a Bill for an Act entitled "An Act to require paddle wheels or screens to be placed in all ditches and canals for the protection of fish," beg leave to report that they have had the said Bill under consideration and recommend that it be indefinitely postponed.

Everett, Chairman.

On motion of Martien, report adopted and Bill indefinitely postponed.

Everett moved that Edgar Tilton be placed upon the payroll of the Senate instead of Smith, Smith having resigned his position as Janitor and the Secretary of State having appointed said Edgar Tilton.

Motion carried.

White moved that the vote by which the report of the Judiciary Committee was adopted recommending non-concurrence in House Bill No. 228 be reconsidered.

Motion carried.

White moved that the Secretary be instructed to have House Bill No. 228 recalled from the House.

Motion carried.

Miles moved that the vote by which the Judiciary Committee report on House Bill No. 246 was adopted indefinitely postponing said Bill be reconsidered.

Motion to reconsider was lost.

By unanimous consent rules were suspended and the following Bills considered read a third time at length, read by title only.

H. J. M. No. 2 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Cowgill, Muffly, Rae.—3.

Title agreed to.

H. J. M. No. 1 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Cowgill, Glidden, Muffly, Rae.—4.

Title agreed to.

H. J. M. No. 4 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Donlan, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Cowgill, Edwards, Muffly, Rae.—4.

Title agreed to.

H. B. No. 1212 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—22.

Noes—None.

Absent and not voting: Cowgill, Donlan, Edwards, Muffly, Rae.—5.

Title agreed to.

H. B. No. 146 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Everett, Fairbanks, Harper, Haviland, Long, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—20.

Noes—None.

Absent and not voting: Cowgill, Donlan, Edwards, Glidden, Martien, Muffly, Rae.—7.

Title agreed to.

H. B. No. 149 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—21.

Noes—None.

Absent and not voting: Cowgill, Donlan, Edwards, Martien, Muffly, Rae.—6.

Title agreed to.

H. B. No. 161 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McDonnell, McLean, Romney, Sanders, Truscott, White.—21.

Noes—None.

Absent and not voting: Donlan, Edwards, Muffly, McCone, Rae, Tooley.—6.

Title agreed to.

H. B. No. 186 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Truscott, White.—22.

Noes—None.

Absent and not voting: Donlan, Edwards, Muffly, Rae, Tooley.—5.

Title agreed to.

H. B. No. 181 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Truscott, White.—22.

Noes—None.

Absent and not voting: Donlan, Edwards, Muffly, Rae, Tooley.—5.

Title agreed to.

H. B. No. 221 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Truscott, White.—22.

Noes—None.

Absent and not voting: Donlan, Edwards, Muffly, Rae, Tooley.—5.

Title agreed to.

H. B. No. 212 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Donlan, Edwards, Muffly, Rae.—4.

Title agreed to.

H. B. No. 226 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Edwards, Muffly, Rae.—3.

Title agreed to.

H. B. No. 230 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Edwards, Muffly, Rae.—3.

Title agreed to.

H. B. No. 233 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, White.—23.

Noes—None.

Absent and not voting: Edwards, Muffly, Rae, Truscott.—4.

Title agreed to.

H. B. No. 241 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, White.—21.

Noes—None.

Absent and not voting: Albright, Edwards, Miles, Muffly, Rae, Truscott.—6.

Title agreed to.

H. B. No. 271 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett,

Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, White.—23.

Noes—None.

Absent and not voting: Edwards, Muffly, Rae, Truscott.—4.

Title agreed to.

H. B. No. 272 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, White.—22.

Noes—None.

Absent and not voting: Glidden, Miles, Muffly, Rae, Truscott.—5.

Title agreed to.

H. B. No. 276 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Long, Martien, Metcalf, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, White.—21.

Noes—None.

Absent and not voting: Glidden, Haviland, Miles, Muffly, Rae, Truscott.—6.

Title agreed to.

H. B. No. 3044 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, Romney, McLean, Sanders, Tooley, White.—22.

Noes—None.

Absent and not voting: Glidden, Haviland, Muffly, Rae, Truscott.—5.

Title agreed to.

H. B. No. 182 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Long, Martien, Metcalf, Miles, McCarthy, McDonnell, McLean, Romney, Sanders, Tooley, White.—21.

Noes—None.

Absent and not voting: Glidden, Haviland, Muffly, McCone, Rae, Truscott.—6.

Title agreed to.

S. B. No. 85 passed by the following vote:

Ayes: Albright, Bielenberg, Cardwell, Cowgill Donlan, Edwards, Everett, Fairbanks, Harper, Long, Martien, Metcalf, Miles, McCarthy, McDonnell, McLean, Romney, Sanders, Tooley, White.—20.

Noes—None.

Absent and not voting: Annin, Glidden, Haviland, Muffly, McCone, Rae, Truscott.—7.

Title agreed to.

S. B. No. 50 passed by the following vote:

Ayes: Albright, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McDonnell, McLean, Romney, Sanders, Tooley, White.—21.

Noes—None.

Absent and not voting: Annin, Glidden, Muffly, McCone, Rae, Truscott.—6.

Title agreed to.

S. B. No. 101 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, McCarthy, McDonnell, McLean, Romney, Sanders, Tooley, White.—21.

Noes.—None.

Absent and not voting: Donlan, Haviland, Muffly, McCone, Rae, Truscott.—6.

Title agreed to.

S. B. No. 110 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, McCarthy, McDonnell, McLean, Truscott, White.—20.

Noes.—None.

Absent and not voting: Donlan, Haviland, Muffly, McCone, Rae, Romney, Sanders.—7.

Title agreed to.

S. B. No. 112 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, McCarthy, McDonnell, Sanders, Tooley, Truscott, White, McLean.—21.

Noes.—None.

Absent and not voting: Donlan, Haviland, McCone, Rae, Romney, Muffly.—6.

Title agreed to.

S. B. No. 121 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, McCarthy, McDonnell, McLean, Sanders, Tooley, Truscott, White.—21.

Noes.—None.

Absent and not voting: Donlan, Haviland, Muffly, McCone, Rae, Romney.—6.

Title agreed to.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

Approved: EDWIN L. NORRIS, President of the Senate.

FIFTY-FOURTH DAY

Helena, Montana, March 1st, 1907.

Senate convened at 10:30 A. M.

President in the chair.

Roll called, quorum present.

Prayer by the Chaplain.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 1st, 1907.

Mr. President:

Your Committee on Steering begs leave to report the following bills for General File: Senate Bills Nos. 51, 105, 102, 113, Sub. for House Bills Nos. 19 and 44, House Bills Nos. 43, 74, 158, 148, 140, 153, 168, 192 and 277.

DONLAN, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, March 1st, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bill No. 124 correctly printed.

SANDERS, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 1st, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bills numbered, 29, 42, 65, 94 and 96, beg leave to report as follows:

That the same have been correctly enrolled.

Respectfully submitted,

COWGILL, Acting Chairman.

After giving notice President signed Senate Bills Nos. 65, 96, 42, 29 and 94.

Rae reported for roll call.

Senate resumed reading reports of Standing Committees as follows:

Senate Chamber, Helena, Montana, February 28th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was re-referred House Bill No. 200, being a Bill for an Act entitled "An Act to amend Chapter 45 of the Laws of 1905, entitled, 'An Act to foster, develop, protect and promote the Sheep Industry of Montana, and to appoint a Board of Sheep Commissioners, and to appoint Inspectors and deputy Inspectors, and to define their duties and powers, and the duties and powers of the State Veterinary Surgeon in connection therewith,' and to repeal an Act entitled "An Act for the appointment of a Board of Sheep Commissioners and to define their powers and duties," approved March 5th, 1897, and Sections 3030 to Section 3046 inclusive of the Political Code, covering the same subject, approved February 28, 1908, by amending Sections 3, 12, 15, 16, 17, 19, 24 and 27 to read as hereinafter set forth, and by adding thereto a Section as numbered 32 relating to Buck Herds," respectfully report and recommend that Section 9 be amended to read as follows:

Section 9. That Section 27 of the said Act be amended to read as follows:

That the sum of Nineteen Thousand Dollars or so much thereof as may be necessary be, and the same is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to defray the expenses incurred under the provisions of this Act, which money shall be known as the "Sheep Inspection and Indemnity Fund.

Amend Section 3 by inserting after the word "minutes" in the 7th line of

said Section the following "Provided, that in all cases sheep shipped into this state must be quarantined separately and in no case shall foreign sheep be mixed or quarantined in the same area with native sheep, and all native sheep must be quarantined within the limits of their accustomed range.

And as amended recommend that the Bill be concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 1st, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred Senate Bill No. 130, "A Bill for an Act entitled an Act to amend Section 15 of Chapter XI of the laws of 1903, relating to the licensing of taxidermists, report same back with the recommendation that same do pass.

McCONE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, March 1st, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill numbered 202, A Bill for an Act entitled "An Act to provide for Farmers' Institutes and Extension Work in Agriculture" and to repeal an Act entitled "An Act providing for Farmers' Institutes, and making an appropriation therefor, approved March 14, 1901," and to repeal an Act entitled "An Act to amend an Act providing for Farmers' Institutes and making an appropriation therefor, approved March 6th, 1903, recommend that the same be indefinitely postponed.

Respectfully submitted,

McCONE, Chairman.

On motion of Donlan report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, March 1st, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 231, being a Bill for an Act appropriating money for the Montana State School of Mines, located at Butte, Montana, for the erection and equipment of a boiler plant, and of a metallurgical plant for said school, respectfully report and recommend that said Bill be amended as follows:

Amend Section 1 by striking out the words "Fifty-nine Thousand Dollars" and the figures "($59,000.00)" in line one of the printed bill, and insert in lieu thereof the words "Fourteen Thousand Dollars" and the figures "($14,000.00)".

Also amend Section 1 by striking out the word "and" in line 6 of printed bill and by striking out all of lines 7 and 8 of printed bill.

Also amend title by striking out after the words "boiler plant" the words "and of a metallurgical plant for said school", and that as amended the same be concurred in.

McCONE, Chairman.

On motion of Miles report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 1st, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 96, a Bill for an Act entitled "An Act to amend Sections one, two, three, four and five of an Act of the Eighth Legislative Assembly, entitled 'An Act to appoint the Entomologist of the Experiment Station, State Entomologist, and appropriate money to pay his traveling expenses, recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 1st, 1907.

Mr. President:

Your Committee on Railroads and Transportation to whom was referred House Bill No. 291, being a Bill for an Act entitled "An Act to require railroad, telegraph, and express companies, doing business in the State of Montana to maintain telephones in its offices, and to answer calls made over such telephone connections during business hours, and to provide a penalty for the violation of the provisions of this act," having had the same under consideration report it back with the recommendation that it be amended as follows:

Amend the title by striking out the following words in line 2 of the title "maintain telephone in its office" and insert in lieu thereof the following: "permit the installation of telephones in their offices".

In Section 1, amend by striking out in lines 4 and 5 the following: "or at any place where telephone connections may be had on reasonably moderate terms.

And in line 5 of Section 1, strike out the word "all" and in lieu thereof insert the word "each".

In line 6, of Section 1, strike out the word "exchanges" and insert in lieu thereof the word "exchange".

Amend Section 1 by inserting after the words "hours", in line 13, the following: "Provided, however, that such railroad, telegraph, and express companies shall not, in the absence of an agreement to that effect, be required to bear the expenses incidental to the installation of said telephones, or to any charges for the use thereof".

In line 11, Section 1, strike out the word "such" and in lieu thereof insert the word "each".

In line 16, strike out the word "or" after the word "passenger", and insert a comma in lieu thereof, and after the word "freight" in said line, insert "or telegraph".

And that when so amended the Bill be concurred in.

EVERETT, Chairman.

On motion of White report adopted and Bill referred to Steering Committee.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, February 28th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House

Bills Nos. 195, 293, 256, 308, 251, 258 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 28th, 1907.

Mr. President:

I am directed by the Houes to inform your Honorable Body that House Bills Nos. 306, 255, 18, 314, 353 have been read a third time and passed by the House as amended, and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 28th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. Sub. for House Bill No. 57, H. B. No. 282, 352 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 28th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were introduced and read first and second times:

By Committee on Appropriations: H. B. No. 413. A Bill for an Act making appropriations for State Institutions of Montana, for the period ending February 28th, 1908, and February 28th, 1909.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 28th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Joint Resolution No. 10 was introduced by Beckwith, read third time and passed by the House, and is herewith transmitted for the concurrence of your Honorable Body, and also House Bill No. 328.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, February 28th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 160, 194, 261 and 317 have been read a third time and passed by the House as amended, and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

By unanimous consent rules were suspended and the following bills were read a first and second times by title only:

H. B. No. 195: By Barbour. A Bill for an Act entitled "An Act to amend Section 1000 of the Civil Code of the State of Montana, as amended by an Act of the Ninth Legislative Assembly of Montana, approved March 2, 1905.

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 352: By Allen. A Bill for an Act entitled "An Act providing for the submission to the electors of the State of Montana, an amendment to Section 14, Article XII of the Constitution of the State of Montana, relating to the care and management of public moneys in the hands of public officers, and providing for a State Depository Board, to direct the depositing of State Moneys in the possession of the State Treasurer".

Referred to Committee on Judiciary.

H. B. No. 328: By Scallon. A Bill for an Act entitled "An Act relating to the valuation of the property of railroads for all purposes of rate regulation, by the Board of Railroad Commissioners or the Courts and providing rules of evidence relating to the same.

Referred to Committee on Railroads and Transportation.

H. B. No. 160: By Wendel. A Bill for an Act entitled "An Act to amend Section 1 of 'An Act providing for the payment of the indebtedness and expense hereafter incurred by cities, the indebtedness of which exceeds the limit provided in Section 6, Article XIII of the Contitution of the State of Montana, and further providing for levy and collection of taxes for such purposes' approved February 24, 1903".

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 194: By Cummings. A Bill for an Act entitled "An Act appropriating money for the restoration and maintenance of old Fort Benton, and providing for the appointment of a Board of Trustees for the management thereof.

Referred to Committee on Finance and Claims.

H. B. No. 196: By Swindlehurst. A Bill for an Act to define "trusts" and declaring a trust to be unlawful, against public policy and void, and provide criminal penalties for and civil damages, defenses and punishment against persons, corporations, firms, associations and persons connected with them, violating any of the provisions of this Act, and to promote free competition in commerce and all classes of business in this State.

Referred to Committee on Judiciary.

H. B. No. 261: By Weed, by Request. A Bill for an Act entitled "An Act to amend Sections 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, Chapter IV, Part II, of the Criminal Code of Montana, relating to the examination of witnesses conditionally.

Referred to Committee on Judiciary.

H. B. No. 317: By Whiteside. A Bill for an Act, "An Act to construct a fish way in Kootenai River, at Kootenai Falls, Montana, and appropriating money therefor.

Referred to Committee on Finance and Claims.

H. B. No. 282: By Towers, by Request. A Bill for an Act entitled "An Act approving certain Bounty Certificates and appropriating money for the payment thereof.

Referred to Committee on Finance and Claims.

Sub. for H. B. No. 57: By Committee on Livestock and Public Ranges. A Bill for an Act entitled "An Act to amend Section 2941 of the Political Code of the State of Montana, as amended by House Bill No. 74, approved March 11, 1901, relating to the recording of brands, and providing for the appointment of a recorder and fixing his compensation."

Referred to Committee on Stockgrowing and Grazing.

H. B. No. 293: By Allen. A Bill for an Act entitled "An Act to amend Sections 8 and 12 of Chapter 51, of the laws of 1905 relating to the practice of Osteopathy contrary to law in the State of Montana, and providing a penalty therefor, and defining what evidence shall be deemed sufficient to constitute the practice of Osteopathy.

Referred to Committee on Judiciary.

H. B. No. 256: By Weed. A Bill for an Act entitled "An Act to amend Section 1 of an Act entitled 'An Act to provide the condition upon which foreign corporations may do business in this State, and to repeal Sections 1030 to 1038 inclusive of the Civil Code of Montana', approved March 9th, 1901, and to add sub-division 7 to said Section 1, providing for the filing of alterations and amendments to the Charter of Articles of Incorporation of foreign corporations, and for the filing of certificates of increase of capital stock, or continuance of corporate existence, and for the payment of fees therefor.

Referred to Committee on Corporations other than Municipal.

H. B. No. 308: By Scallon. A Bill for an Act entitled "An Act providing for the initiative and referendum in cities and towns.

Referred to Committee on Judiciary.

H. B. No. 251: By Allen. A Bill for an Act entitled "An Act to provide that the Board of County Commissioners of each County in the State shall pass a resolution to be known as the annual appropriation resolution; provide for a tax levy, to provide for each county officer to file with the said Board, an estimate of their annual expenses for the fiscal yeal and to provide a county fiscal year.

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 258: By Goff. A Bill for an Act entitled "An Act to amend Section 1 of Chapter 27 of the Acts of the Ninth Legislative Assembly, being an Act to authorize cities and towns to create Special Improvement Districts and to levy special assessments upon the property of such districts for the purpose of defraying the cost of construction or acquiring a system of water works, and laying extensions to water mains, approved February 21st, 1905".

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 353: By Allen. A Bill for an Act entitled "An Act to amend Section 446, Part 3, Title 1, of Article VII, of the Political Code of Montana, relating to the salary of State Treasurer."

Referred to Committee on Finance and Claims.

H. B. No. 314: By Harden. A Bill for an Act entitled "An Act to amend Section 875 of the Political Code as amended by S. B. No. 75, of the Laws of 1897, so as to increase the salary of the Clerk of the Supreme Court,

and to amend Section 1716 of the Political Code so as to increase the salary of the Superintendent of Public Instruction.

Referred to Committee on Finance and Claims.

H. B. No. 18: By Blake. A Bill for an Act entitled "An Act to amend Section 770 of the Penal Code of the State of Montana, relating to the safe keeping and disposition of public moneys".

Referred to Committee on Judiciary.

H. B. No. 255: By Miller, by Request. A Bill for an Act to amend Section 353 of the Penal Code of the State of Montana relating to verdicts and judgments in cases of murder.

Referred to Committee on Judiciary.

H. B. No. 306: By Macaulay. A Bill for an Act entitled "An Act to provide for the appointment of a State Board of Voting Machine Commissioners, defining their duties, powers and expenses thereof, and providing rules and regulations for the use of voting machines in all Counties, Cities, Towns and Districts of the State of Montana".

Referred to Committee on Elections and Privileges.

Referring back to Fifth Order of Business, following communications from the House were received and read.

House of Representatives, Helena, Montana, February 28th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 329 and Substitute for House Bill No. 10 have been read a third time and passed by the House, as amended, and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 1st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 85, and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 1st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bill Nos. 84 have been read a third time and concurred in by the House, and are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

Senate Bill No. 84 referred to Committee on Enrolled Bills.

Senate resumed first and second reading of House Bills under suspension of rules.

H. B. No. 85: By Wendel. A Bill for an Act entitled "An Act making appropriation for the maintenance of the Montana State Fair and for permanent improvements on the grounds thereof, for the fiscal years ending November 30th, 1907 and November 30th, 1908.

Referred to Committee on Public Buildings.

H. B. No. 329: By Committe on Irrigation and Water Rights. A Bill for an Act entitled "An Act to regulate the appropriation of water in streams in which the rights therein have been adjudicated.

Referred to Committee on Irrigation and Water Rights.

Sub. for H. B. No. 10: By Committee on Ways and Means. A Bill for an Act entitled "An Act to amend Sections 443 and 449 of the Political Code of Montana, and to provide further regulations for the safe keeping and management of public funds in the hands of the State Treasurer, and to increase his official bond, and to provide for the payment of the premium thereon.

Referred to Committee on Judiciary.

Referring back to Fifth Order of Business following communications from the House were received and read:

House of Representatives, Helena, Montana, March 1st, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 337 and 179, and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

Senate resumed first and second reading of Bills under suspension of rules.

H. B. No. 179: By Miller of Park. A Bill for an Act entitled "An Act prescribing regulations for opening, operating, platting, general conduct and management of coal mines, and coal mining; prescribing penalties and repealing Article I, Chapter XX, Part 11, Title VII, (Sections 3350 to 3365 inclusive) of the Political Code of Montana, relating to the regulation of Coal Mines".

Referred to Committee on Mines and Mining.

H. B. No. 337: By McDonald. A Bill for an Act entitled "An Act to amend Section 4756 of the Political Code, relating to officers of election, places of voting, and election districts, and election matters in municipal corporations.

Referred to Committee on Elections and Privileges.

Following Resolution was received and read:

House Joint Resolution No. 10: By Beckwith.

Be it Resolved by the Senate and House of Representatives of the State of Montana:

That Whereas, this Assembly has learned with feelings of the most profound regret of the death of that sterling pioneer citizen of the Territory and State of Montana, the Honorable A. Sterne Blake, of Victor, Ravalli County, Montana, one who, during his life, done much to advance the best interests and development of the commonwealth; and

Whereas, the deceased pioneer was a member of the First Legislative Assembly of the State of Montana, representing the then County of Missoula in the House of Representatives; therefore, be it

Resolved, by the Senate and House of Representatives of the Tenth

Legislative Assembly of the State of Montana: That in the death of the Honorable A. Sterne Blake, the state has lost one of its best, most honored and respected citizens; and further

Resolved, that this Assembly hereby extends its deepest sympathy and condolence to the widow and family of the deceased citizen in the hour of their bereavement; and further

Resolved, that one copy of these resolutions be transmitted, by the Chief Clerk of the House of Representatives, to the family of the deceased, one copy to the Secretary of the Society of Montana Pioneers, one copy to the Librarian of the State Historical Society, and that these Resolutions be spread upon the Journals of both Houses of this Assembly in simple tribute to the honesty of purpose, the sterling qualities of higher manhood represented in the character and daily walk of the Honorable A. Sterne Blake during his lifetime in our beloved state.

On motion of White Resolution adopted.

The following Resolution was offered by Donlan:

Be it resolved by the Senate, that on and after the passage of this resolution, during the remainder of the Session the following words of Rule XLV be considered as omitted, and stricken from said rule, to-wit: "unless invited by the President or a Senator".

On motion of Donlan the above Resolution was adopted.

On motion of Donlan Senate resolved itself into Committee of the Whole to consider Bills on the General File.

Miles in the chair.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, March 1st, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that,

S. B. No. 51 do pass.

That S. B. No. 105 do pass.

That S. B. No. 102 be amended in Section 1 by striking out in line 5 the word "Battleship", and inserting in lieu thereof the words "United States Cruiser".

Also amend Section 3, line 13, by inserting after the word "Service" the following: "Also, the sum of Five Hundred Dollars or so much thereof as may be necessary to pay the expenses of said Commission", and that as amended the bill do pass

That Sub. for S. B. No. 113 be amended in Section 2, line 8 by striking out all of said section after the word "month" and inserting in lieu thereof the following: "each special Deputy Game and Fish Warden shall be allowed Three Hundred and no-100 ($300.00) Dollars, per annum, or as much thereof as may be necessary for his actual and necessary traveling expenses in his own district, when actually engaged in discharging the duties of his office, to be paid out of the Game and Fish Fund upon vouchers duly audited by the State Board of Examiners, and that as amended the Bill do pass.

That Sub. for H. B. Nos. 19 and 44 be amended in Section 3 by striking out the words in the amendment "Twenty-three Thousand Dollars" and inserting in lieu thereof the words "Thirty-seven Thousand Three Hundred Dollars", and that as amended the Bill be concurred in.

That H. B. No. 43 be amended by striking out all of the amendments made by the Committee on Public Buildings, and that as amended the Bill be concurred in.

That H. B. No. 74 be amended by striking out all amendments attached to the Bill, and that as amended the bill be concurred in.

That H. B. No. 158 be amended by striking out all amendments of the Senate Committee on Finance and Claims, and that as amended the Bill be concurred in.

That H. B. No. 128 be amended in Section 1 by inserting after the word "operated" in line 7 the words "or for any telegraph, telephone, or messenger company".

Amend Section 4 by adding at the end of said Section the following: "Should such child prove to be less than sixteen years", and that as amended the Bill be concurred in.

That H. B. No. 140 be amended by adding after the word "others" in line 86 of the printed Bill the following: "And in the case of any text-book whose publication has not been completed, before the meeting of the State Text Book Commission, it shall be permissible for the publisher in making a bid to file with the Commission a copy of the manuscript of such text-book, together with such exhibits as will satisfactorily illustrate the quality of paper, typography, and binding to be used in the publication of such text-books, and it shall be permissible for the commission to adopt such text-book in their discretion the same as in the case of any text-book previously published," and that as amended the Bill be concurred in.

That H. B. No. 153 be concurred in.

That H. B. No. 168 be concurred in.

That H. B. No. 192 be concurred in.

That H. B. No. 277 be concurred in.

MILES, Chairman.

On motion of Miles report adopted and Senate Bills No. 51 105, 102 and Sub. for S. B. No. 113 referred to Committee on Engrossed Bills.

Sub. for House Bills Nos. 19 and 44, House Bills Nos. 43, 74, 158, 128, 140, 153, 168, 192 and 277 referred to calendar for Third Reading.

Recessed until 2 P. M.

Senate reconvened at 2 P. M.

President in the chair.

Roll called, quorum present.

Referring back to second order of business, the following communication from the House was received and read:

House of Representatives, Helena, Montana, March 1st, 1907.

Mr. President:

I herewith return House Bill No. 228 as per your request for further consideration.

Respectfully,

C. B. GIBBS, Chief Clerk.

On motion of White H. B. No. 228 was re-referred to Committee on Judiciary.

Referring back to second order of business, Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 1, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bills Nos. 58, 125, 126, 128 and 129 correctly printed.

SANDERS, Chairman.

Report adopted and Bills referred to Steering Committee.

Senate Chamber, Helena, Montana, March 1, 1907.

Mr. President:

Your Committee on Public Morals to whom was referred House Bill No. 50, a Bill for an Act entitled, "An Act to prohibit the sale of liquors, and the erection or keeping of saloons outside of the corporate limits of cities, and towns and in the vicinity of cemeteries or within one half mile of parks to which the public is admitted free of charge, and in which the sale of malt, vinous, spiritous and other intoxicating liquors is not allowed, and is not carried on," having had the same under consideration respectfully report the same back with the recommendation that the same do pass

CARDWELL, Chairman.

Report adopted and Bill referred to Steering Committee.

By unanimous consent rules were suspended and the following bills were considered read a third time at length, read by title only:

H. B. No. 168 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26,

Noes.—None.

Absent and not voting: Muffly,—1.

Title agreed to.

H. B. No. 153 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes.—None.

Absent and not voting: Albright, Muffly.—2.

Title agreed to.

H. B. No. 140 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cowgill, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—24.

Noes.—None.

Absent and not voting: Albright, Muffly, Romney.—3.

Title agreed to.

H. B. No. 128 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cowgill, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—24.

Noes.—None.

Absent and not voting: Albright, Muffly, Romney.—3.

Title agreed to.

H. B. No. 158 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Edwards, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—23.

Noes.—None.

Absent and not voting: Albright, Edwards, Muffly, Romney.—4.

Title agreed to.

H. B. No. 74 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—23.

Noes: Edwards.—1.

Absent and not voting: Albright, Muffly, Romney.—3.

Title agreed to.

H. B. No. 42 concurred in by the following vote:

Ayes: Annin Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—24.

Noes.—None.

Absent and not voting: Albright, Muffly, Romney.—3.

Title agreed to.

Substitute for House Bills Nos. 19 and 44 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White. —24.

Noes.—None.

Absent and not voting: Albright, Glidden, Muffly.—3.

Title agreed to.

H. B. No. 192 concurred in by the following vote:

Ayes: Albright, Bielenberg, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes.—None.

Absent and not voting: Cowgill, Muffly and McCarthy.—3.

Title agreed to.

H. B. No. 277 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Donlan, Edwards, Everett,

Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott, White.—23.

Noes.—None.

Absent and not voting: Cowgill, Muffly, McCarthy, Sanders.—4.

Title agreed to.

Committee on Engrossed Bills reported as folows:

Senate Chamber, Helena, Montana, March 1, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 93 beg leave to report as follows: that the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for Third Reading.

Senate resumed Third Reading of Bills under suspension of the rules:

S. B. No. 93 not passed by the following vote:

Ayes: Annin, Bielenberg, Cowgill, Everett, Long, Metcalf, Miles, McCarthy, Romney, Truscott.—10.

Noes: Albright, Cardwell, Donlan, Edwards, Fairbanks, Glidden, Harper, Haviland, Martien, McCone, McDonnell, McLean, Rae, Tooley, White.—15.

Absent and not voting: Muffly, Sanders.—2.

Martien gave notice that he would on tomorrow or some subsequent day move to reconsider the vote by which S. B. No. 93 was indefinitely postponed.

Referring back to the Sixth Order of Business, by unanimous consent rules were suspended and White allowed to introduce the following Bills without previous notice:

S. B. No. 133: By White. A Bill for an Act entitled, "An Act to amend Section 578 of the Civil Code of the State of Montana, relating to the liability of stockholders of banks and banking corporations".

Referred to Committee on Corporations other than Municipal.

S. B. No. 134: By White. A Bill for an Act to amend Section 601 of the Civil Code of the State of Montana, relating to the liability of stockholders of trust and security corporations.

Referred to Committee on Corporations other than Municipal.

Adjourned until 10:30 A. M. tomorrow.

H. K. HOWRY, Secretary.

Approved: EDWIN L. NORRIS, President of the Senate.

FIFTY-FIFTH DAY

Helena, Montana, March 2nd, 1907.

Senate convened at 10:30 A. M.

President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Steering begs leave to report the following Bills for General File: Senate Bills Nos. 58, 124, 125, 128, 129, Sub. for House Bill No. 50, House Bills Nos. 96, 185, 231 and 200.

DONLAN, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Counties and Towns, to whom was referred House Bill numbered 309, beg leave to report as follows:

We have had the same under consideration and recommend that the same be concurred in.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill referred to Steering Committee.

After giving notice President signed House Bill No. 45, Sub. for House Bill No. 23, House Bill No. 323, 321, 322, and 78.

Senate resumed reading Standing Committee reports.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Printing, beg leave to report, Senate Bill No. 116, Sub. for Senate Bill No. 111, and Sub. for Senate Bill No. 117, correctly printed.

SANDERS, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Corporations other than Municipal having had under consideration Senate Bill No. 133, a Bill for an Act entitled "An Act to amend Section 578 of the Civil Code of the State of Montana, relating to the liability of stockholders of banks, and banking corporations, respectfully report back the same with the recommendation that it do pass.

Respectfully,

MILES, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, having had under consideration Senate Bill No. 134 being a Bill for an Act to amend Section 601 of the Civil Code of the State of Montana relating to the liability of stockholders of trusts and security corporations, respectfully report and recommend that the Bill do pass.

MILES, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

We, your Committee on Public Buildings, having had under consideration House Bill No. 85, being a Bill for an Act entitled "An Act making appropriations for the maintenance of the Montana State Fair, and for permanent improvements on the grounds thereof, for the fiscal years ending November

30th, 1907, and November 30th, 1908" do herewith return the same with the recommendation that it be concurred in.

ANNIN, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Mines and Mining, to whom was referred Senate Bill No. 123, being a Bill for an Act entitled, "An Act to provide for the appointment of a clerk for the office of State Mine Inspector, and State Coal Mine Inspector", beg leave to report and respectfully recommend, that said Bill do pass.

HARPER, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, March 1, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 196, being a Bill for an Act entitled "An Act to define Trusts and declaring a trust to be unlawful, against public policy and void, to provide criminal penalties for and Civil damages, defenses and punishments against persons, corporations, firms, associations or persons connected with them, violating any of the provisions of this Act; and to promote free competition in commerce in all classes of business in this state", beg leave to report and recommend that the Bill be amended by striking out all of Section 14 (which we believe makes the entire bill unconstitutional) and renumber the following Sections to correspond; and as amended recommend that the Bill be concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Counties and Towns, to whom was referred House Bill No. 325, beg leave to report as follows: That we have had the same under consideration and recommend to amend Section 2, by striking out, after the word "as" the word "Tagliabue's", and insert inlieu thereof the word "Foster", and strike out after the word "than" the word "one", and insert the word "four". Also strike out after the word "per", the word "second", and insert in lieu thereof, the word "minute", and as amended the Bill do pass.

Respectfully submitted,

DONLAN, Chairman.

On motion of Donlan report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 261, being a Bill for an Act entitled "An Act to amend Sections 2480,2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, and 2491, Chapter IV, Part II, of the Criminal Code of Montana, relating to the examination of witnesses conditionally";

Also, House Bill No. 293, being a Bill for an Act entitled: "An Act

to amend Sections 8 and 12, of Chapter 51 of the Laws of 1905, relating to the practice of Osteopathy contrary to law in the State of Montana, and providing a penalty therefor, and defining what evidence shall be deemed sufficient to constitute the practice of Osteopathy";

Also, House Bill No. 352, being a Bill for an Act entitled "An Act providing for the submission to the electors of the State of Montana an amendment to Section 14 of Article XII of the Constitution of the State of Montana relating to the care and management of public moneys in the hands of public officers, and providing for the State Depository Board to direct the depositing of State Moneys in the possession of the State Treasurer";

Also, House Bill No. 302, being a Bill for an Act entitled "An Act to amend Section 2097 of the Penal Code of the State of Montana relating to trials in criminal cases";

Also, House Bill No. 313, being a Bill for an Act entitled "An Act to amend Section 607 of the Political Code of the State of Montana, relating to the fees of candidates for examination for license to practice medicine and surgery in the State of Montana and application thereof";

Also, House Bill No. 253, being a Bill for an Act entitled "An Act defining the crime of burglary with explosives and fixing punishment therefor", beg leave to report and recommend that said Bills be concurred in.

WHITE, Chairman.

Report adopted and Bills referred to Steering Committee.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill No. 131, being a Bill for an Act entitled, an Act relating to the prevention of pollution of public water supplies used for domestic purposes, providing for appeals to the District Court from any orders of said Board and giving jurisdiction in equity to the District Court to enforce orders, rules, and regulations of said Board; authorizing the establishment and maintenance of an Experimental Station and providing penalties", beg leave to report and respectfully recommend that the Bill do pass.

WHITE, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Enrolled Bills reports that Senate Bills Nos. 8, 15, 20, 21, 29, 32, 35, 40, 42, 44, 65, 94, 96 and Senate Joint Resolution No. 1 have been duly signed by the Speaker of the House and are now in the hands of His Excellency, the Governor.

Respectfully submitted,

RAE, Chairman.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bills numbered 25, 41, 55, 74 and 90, beg leave to report as follows:

That same have been correctly enrolled.

RAE, Chairman.

After giving notice President signed Senate Bills Nos. 41, 90, 74, 55, and 25.

Senate resumed reading reports of Standing Committees.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 83, beg leave to report as follows:

That the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for Third Reading.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 51, 102, 109, 113, and 118, beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills referred to Calendar for Third Reading.

Long and Martien reported for roll call.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Having received the appointment of Secretary to the Board of Railroad Commissioners of the State of Montana, I hereby resign the office of Secretary of the Senate, the resignation to be in immediate effect.

If the Senate desires I shall be pleased to assist at the Secretary's desk until the close of the session, such service to be without compensation.

I wish to take this opportunity, Mr. President, to thank you and the members of the Senate for the many favors and kindnesses shown me and to express my deep appreciation of the same.

My connection with the Senate will always be recalled by me as one of the particularly pleasant periods of my life.

Faithfully yours,

H. K. HOWRY.

On motion of Miles the Senate adopted the resignation of H. K. Howry.

On motion of Tooley, Charles E. Wight was elected Secretary of the Senate, in lieu of H. K. Howry, resigned.

Whereupon the President administered the following oath of office to Charles E. Wight.

I do solemnly swear (or affirm) that I will support, protect and defend the Constitution of the United State, and the Constitution of the State of Montana, and that I will discharge the duties of my office with fidelity; and that I have not paid or contributed or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election, except for necessary and proper expense expressly authorized by law; that I have not knowingly violated any election law of this State or procured it to be done by others in my behalf, that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law, so Help Me God.

Subscribed and sworn to before me this 2nd day of March, 1907.

EDWIN L. NORRIS, President of the Senate.

Donlan moved that the thanks of the Senate be extended to H. K. Howry for the able, thorough and courteous manner in which he has discharged the duties as Secretary of the Senate.

Motion carried.

Senate resumed reading Reports of Standing Committees.

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Corporations other than Municipal having had under consideration House Bill No. 256, being a Bill for an Act entitled "An Act to provide the conditions upon which foreign corporations may do business in this State, and to repeal Sections 1030 and 1038 inclusive of the Civil Code of Montana, approved March 9th, 1901, and to add sub-division 7 to said Section 1, providing for the filing of alterations and amendments to the Charter of Articles of Incorporation of Foreign Corporations and for the filing of certificates of increase in capital stock or continuance of corporate existence, and for the payment of fees therefor", recommend that the same be concurred in as amended, amending Section 1, after the word "continuance" strike out the words "shall have" and insert in lieu thereof the following: "they must within".

Respectfully submitted,

MILES, Chairman.

On motion of Miles report was adopted and Bill referred to Steering Committee.

Following communication from the House received and read:

House of Representatives, Helena, Montana, March 1, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bill was this day introduced and read first and second times:

By Bennett: H. B. No. 414: A Bill for an Act relating to corporate Banks and Banking.

Respectfully,

C. B. GIBBS, Chief Clerk.

Referring back to Second Order of Business Committee on Stockgrowing and Grazing reported as follows:

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Stockgrowing and Grazing, to whom was referred House Bill No. 324, being a Bill for an Act entitled "An Act to establish a State Livestock Sanitary Board; to provide for the appointment of special Deputy State Veterinary Surgeons; to define the duties and powers of said State Livestock Sanitary Board, and the duties and powers, of the State Veterinary Surgeon, and Deputies Veterinary Surgeon with the State Livestock Sanitary Board to provide for the eradication of disease in domestic animals, their quarantine and sanitary inspection; to amend Section 3016 of the Political Code relating to the Stock Indemnity Fund, and to provide penalties for the violation of this Act; and to provide for the transfer of money from the General Fund to the Stock Indemnity Fund". beg leave to report that they have had said Bill under consideration and recommend that the same be concurred in.

BIELENBERG, Chairman.

Report adopted and Bill referred to Steering Committee.

Martien moved that the vote by which S. B. No. 93 was not passed on third reading be reconsidered.

White moved that the motion to reconsider be laid on the table.

Long demanded a roll call.

The motion to lay on the table was on roll call carried by the following vote:

Ayes: Albright, Donlan, Edwards, Fairbanks, Glidden, Harper, Haviland, McCone, McDonnell, Rae, Sanders, Tooley, White.—13.

Noes: Annin, Bielenberg, Cardwell, Cowgill, Everett, Long, Martien, Metcalf, Miles, McCarthy, McLean, Truscott.—12.

Absent and not voting: Muffly, Romney.—2.

On motion of Donlan Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

Harper in the chair.

Committee arose.

Senate resumed.

President in the Chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend, that

Sub. for S. B. No. 58 do pass.

That S. B. No. 124 do pass.

That S. B. No. 125 do pass.

That S. B. No. 128 do pass.

That S. B. No. 129 do pass.

That H. B. No. 96 be concurred in.

That Sub. for H. B. No. 50 be concurred in.

That H. B. No. 185 be withdrawn from General File and made a special order of business for 2 o'clock this afternoon, and that in the meantime the Secretary be instructed to have typewritten copies of the Bill placed on each Senator's desk.

That H. B. No. 231 be concurred in, as amended.

That H. B. No. 200 be concurred in as amended.

HARPER, Chairman.

On motion of White report adopted and Senate Bills Nos. 124, 125, 128, 129, and Substitute for Senate Bill No. 58, referred to Committee on Engrossed Bills.

Sub. for House Bill No. 50, House Bills Nos. 231, 200, referred to Calendar for third reading.

House Bill No. 185 made a special order of business for 2 o'clock this afternoon.

Referring back to Second order of Business Committee on Judiciary reported as follows:

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 228, being a Bill for an Act entitled "An Act to amend Section 132 and 134 of the Civil Code of the State of Montana, and to amend Article 2 of Chapter

II of Title I, of Division I of said Civil Code, by adding thereto a Section to be numbered Section 147, which Section 147 defines incompatibility of Temper as cause for divorce"; beg leave to report and recommend that the Bill be amended as follows:

Strike out in Section I the words "Incompatibility of Temper" (Designated as cause 7).

Also strike out all of Sections 2 and 3, and insert in lieu thereof as Section 2, the following:

Section 2. That Section 134 of the Civil Code of Montana be and the same is hereby amended so as to read as follows:

"Section 134. Extreme cruelty is the infliction, or threat or grievous bodily injury, or of bodily injury dangerous to life, or the repeated infliction, or threat of bodily injury or personal violence, upon the other party, by one party to the marriage, or the repeated publication or utterance of false charges against the chastity of the wife by the husband or the infliction of grievous mental suffering upon the other by one party to the marriage by a course of conduct towards, or treatment of one party to the marriage, by the other existing and persisted in for a period of one year immediately before the commencement of the action for divorce, which justly and reasonably is of such a nature and character as so to destroy the peace of mind and happiness of the injured party, or entirely to defeat the proper and legitimate objects of marriage or to render the continuance of the marriage relation between the parties perpetually unreasonable or intolerable to the injured party.

Re-number Section 4 to correspond.

Amend entire title by making it read as follows:

"An Act entitled 'An Act to amend Section 132 and 134 of the Civil Code of the State of Montana". And as amended recommend that the Bill be concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill referred to Steering Committee.

By unanimous consent rules were suspended and the following Bills considered read a third time at length, read by title only.

S. B. No. 50 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Albright, Harper, Muffly, McLean.—4.

Title agreed to.

H. B. No. 96 concurred in by the following vote:

Ayes—Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, McCarthy, McCone, McDonnell, Romney, Sanders, Tooley, White.—20.

Noes—None.

Absent and not voting: Albright, Martien, Miles, Muffly, McLean, Rae, Truscott.—7.

Title agreed to.

H. B. No. 231 concurred in by the following vote:

Ayes: Albright, Annin, Cardwell, Bielenberg, Donlan, Glidden, Haviland,

Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—21.

Noes: Cowgill, Everett, Fairbanks.—3.

Absent and not voting: Edwards, Harper, Muffly.—3.

Title agreed to.

H. B. No. 200 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White. —25.

Noes—None.

Absent and not voting: Fairbanks, Muffly.—2.

Title agreed to.

S. B. No. 83 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Fairbanks, Glidden, Harper, Haviland, Martien, Metcalf, Miles, McCone, McDonnell, Rae, Romney, Sanders, Tooley, Truscott, White.—22.

Noes: McLean.—1.

Absent and not voting: Everett, Long, Muffly, McCarthy.—4.

Title agreed to.

Senate Bill No. 83 reads as follows:

Senate Bill No. 83, introduced by Edwards, A Bill for an Act entitled "An Act for the submitting to the electors of the State of Montana, an Amendment to Section 9, Article XI, of the Constitution of the State of Montana, relating to the rate of taxation for state purposes".

Be it Enacted by the Legislative Assembly of the State of Montana.

Section 1. That there shall be submitted to the qualified electors of the State of Montana, at the next general election, an amendment to Section 9, of Article XI of the State Constitution, increasing the rate of taxation on real and personal property for state purposes, so that said Section 9 will read as follows:

Section IX: The rate of Taxation on real and personal property for state purposes in any one year shall never exceed four mills on each dollar of valuation; and whenever the taxable property in the State shall amount to two hundred millions of dollars, and under three hundred million dollars, the rate shall not exceed three and one-half mills on each dollar of valuation; and wherever the taxable property of the State shall amount to three hundred million dollars, or over, the rate shall never, thereafter, exceed three mills on each dollar of valuation, unless a proposition to increase such rate, specifying the rate proposed and the time during which the same shall be levied shall have been submitted to the people at a general election, and shall have received a majority of all the votes cast for and against it at such election.

Section 2. A separate official ballot shall be prepared by the County Clerk of each County and furnished to the Judges of Election at each precinct in the County, to be used in voting upon such Constitutional Amendment at the General Election to be held in November, 1908, which ballot shall have printed thereon, the words "For the Amendment to the Constitution providing for an increase of the rate of taxation for state purposes" and the words "Against the amendment to the Constitution providing for an increase of the rate of taxation

for State Purposes". In voting on such proposition and canvassing the result, the general election laws shall be applicable.

Section 3. It shall be the duty of the Governor to cause the question of the approval of such constitutional amendment to be submitted at the next general election.

Section 4. This Act shall take effect and be in full force from and after its passage and approval by the Governor.

S. B. No. 102 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Albright, Long, Muffly.—3.

Title agreed to.

S. B. No. 51 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Edwards, Fairbanks, Glidden, Harper, Martien, Miles, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—18.

Noes: Cowgill, Everett, Metcalf, McDonnell.—4.

Absent and not voting: Albright, Donlan, Haviland, Long, Muffly.—5.

Title agreed to.

S. B. No. 109, passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Albright, Long, Muffly, Romney.—4.

Title agreed to.

S. B. No. 118, passed by the following vote:

Ayes: Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Noes—None.

Absent and not voting: Albright, Annin, Donlan, Muffly.—3.

Title agreed to.

Sub. for S. B. No. 113, passed by the following vote:

Ayes: Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Miles, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Tooley, White.—21.

Noes: Metcalf, McCone.—2.

Absent and not voting: Albright, Annin, Muffly, Truscott.—4.

Title agreed to.

Recessed until 1:30 P. M.

Senate re-convened at 1:30 P. M.

President in the Chair.

Roll called. Quorum present.

Following communications from the House received and read.

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 227, 269, and 270 have been read a third time and passed by the House as amended, and are herewith transmitted to your Honorable Body for its concurrence:

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Substitute for House Bill No. 144 has been read a third time and passed by the House and is herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 378 and 379 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. Sub. 310 and 376 have been read a third time and passed by the House; also, 301 as amended, and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 101 and 114 have been read a third time and passed by the House as amended and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 268 and 292 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Joint Memorial No. 7 and House Joint Resolution No. 8 have been read a

third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bills Nos. 69 and 78 have been read a third time and concurred in by the House and are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

S. B. Nos. 69 and 78 referred to Committee on Enrolled Bills.

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bill No. 81 has been read a third time and passed, as amended by the House, and is herewith returned to the Senate for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House amendments to Senate Bill No. 81 were on motion of Donlan concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Donlan, Edwards, Fairbanks, Glidden, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McConnell, McLean, Rae, Romney, Sanders, Tooley, Truscott.—22.

Noes—None.

Absent and not voting: Cowgill, Everett, Harper, Muffly, White.—5.

Senate Bill No. 81 referred to Committee on Enrolled Bills.

Committee on Engrossed Bills reported as follows:

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bill numbered 122, beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for third reading.

By unanimous consent Rules were suspended and the following Bills read first and second times by title only:

H. B. No. 227: By Weed. A Bill for an Act entitled "An Act to amend Section 411 of the Civil Code of Montana, relating to the making and filing of Articles of Incorporation of Domestic Corporations, and to repeal Section 406 of the Civil Code.

Referred to Committee on Corporations other than Municipal.

H. B. No. 269: By Miller of Park. A Bill for an Act entitled "An Act to amend Section 10 of Article 2, of Chapter 106 of the Laws of 1905, and providing when the fee of lands necessary to be taken for drains shall vest".

Referred to Committee on Irrigation and Water Rights.

H. B. No. 270: By Gerber. A Bill for an Act entitled "An Act prohibiting the use of Firearms by children under the age of fourteen years.

Referred to Committee on Public Morals.

Sub. for H. B. No. 144: By Committee on Live Stock and Public Ranges. A Bill for an Act entitled "An Act to repeal Section 2942 of the Political Code relating to the publication of Marks and Brands, and to provide in lieu thereof for the recording of marks and brands and the publication thereof".

Referred to Committee on Stockgrowing and Grazing.

Sub. for H. B. No. 310: Reported for Walker by Judiciary Committee. A Bill for an Act entitled "An Act to amend Article VII of Chapter II, Title X, of Division III of Part IV of the Civil Code of the State of Montana, relating to the use of fictitious names by adding thereto a new section to be known and numbered Section 3285, requiring every individual using a firm or corporate name to file and publish Certificates giving the name of such individual.

Referred to Committee on Corporations other than Municipal.

H. B. No. 301: By Committee on Appropriations. A Bill for an Act entitled "An Act appropriating money for the payment of the Claim of certain sheriffs of the State of Montana for expenses incurred in transporting prisoners to the Penitentiary during the years 1905 and 1906".

Referred to Committee on Finance and Claims.

H. B. No. 376: By Allen. A Bill for an Act entitled "An Act appropriating money from the General Fund to be placed to the credit of the Stock Indemnity Fund.

Referred to Committee on Finance and Claims.

H. B. No. 378: By O'Connor. A Bill for an Act entitled "An Act to amend Section 3498 of the Political Code as enacted by House Bill No. 45, approved March 1st, 1899, relating to the investment of the permanent School Fund and the permanent funds of the State Institutions of Learning".

Referred to Committee on Finance and Claims.

H. B. No. 379: By Logan. A Bill for an Act entitled "An Act providing an open and closed season for the killing of deer".

Referred to Committee on Fish and Game.

H. B. No. 268: Shaw. A Bill for an Act entitled "An Act to amend Section 1900 and Section 1904 as amended by the Laws of 1897, Article XII, Chapter 6, Title III, Part III, of the Political Code of the State of Montana, relating to County Teachers Institutes and to the means of raising funds to defray the expenses of such Institutes".

Referred to Committee on Education.

H. B. No. 292: By Scallon. A Bill for an Act entitled "An Act regarding the assessment of property and collection of taxes and proceedings before County Boards of Equalization, the duties of Assessors in carrying out orders of the Board of Equalization, and providing for appeals to the District Court from the County Board of Equalization and also to the Supreme Court from the District Court, and for the enforcement and carrying into effect of the orders or judgment of the Court.

Referred to Committee on Judiciary.

H. B. No. 101: By Dr. D. Campbell. A Bill for an Act entitled, "An Act to establish a Geological Survey of Montana".

Referred to Committee on Public Buildings.

H. B. No. 114: By Bennett, by Request. A Bill for an Act entitled,

"An Act appropriating money for the purpose of assisting in the erection of a monument within the State Capitol Building at Helena, Montana, to perpetuate the memory of the late Wilbur F. Sanders and for the appointment of a Commission to assist in the erection of such monument".

Referred to Committee on Finance and Claims.

H. J. R. No. 8: By Committee on State Institutions, Public Buildings and Grounds. In reference to contract to be let for furnishing water for the State Capitol.

Referred to Committee on Finance and Claims.

H. J. M. No. 7: By A. H. Gray. Relating to the policy of the Government concerning entrymen upon the Public Lands.

Referred to Committee on Public Lands.

Recess until 2:30 P. M.

Senate reconvened at 2:30 P. M.

President in the Chair.

Roll called. Quorum present.

On motion of Everett Senate resolved itself into Committee of the Whole to consider the special order H. B. No. 185, with

Harper in the Chair.

Committee arose.

President in the Chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend: That

H. B. No. 185 be amended in Section 1, by striking out at end of Section all after the word "imprisonment" and inserting in lieu thereof the words, "Provided that nothing herein shall be construed to prevent any person or persons, members of or guests of any club organized for social and recreative purposes from playing cards for drinks and cigars in any club rooms of such members; also amend Section 1 by adding after the word "whatever" in line 9 of the printed Bill the following: "or any person or persons who conduct any brokerage business, bucket shop or office where grain stocks or securities of any kind are sold on margins"; and that as amended the Bill be concurred in.

HARPER, Chairman.

Martien moved the adoption of the report.

Rae moved to amend the report of the Committee of the Whole by striking out all amendments made to H. B. No. 185 in Committee of the Whole.

Rae demanded a roll call.

On roll call the amended motion was lost by the following vote:

Ayes: Cardwell, Donlan, Glidden, Harper, Martien, McDonnell, Rae, Sanders, Tooley, Truscott.—10.

Noes: Albright, Annin, Bielenberg, Cowgill, Edwards, Everett, Fairbanks, Hayland, Long, Metcalf, Miles, McCarthy, McCone, McLean, Romney, White.—16.

Absent and not voting: Muffly.—1.

Everett moved to amend the report of the Committee of the Whole by

striking out all of Section 1 after the words "fine and imprisonment".

Motion carried.

Whereupon the vote recurring upon the original motion as amended, same was carried.

H. B. No. 185 was referred to Calendar for Third Reading.

By unanimous consent rules were suspended and the following Bills considered read a third time at length, read by title only:

S. B. No. 122 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Cowgill, Muffly.—2.

Title agreed to.

H. B. No. 185 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: Muffly.—1.

Title agreed to.

Referring back to the Second Order of Business, Committee on Public Morals reported as follows:

Senate Chamber, Helena, Montana, March 2, 1907.

Mr. President:

Your Committee on Public Morals to whom was referred H. B. No. 270, a Bill for an Act entitled, "An Act prohibiting the use of firearms by children under the age of fourteen years", having had the same under consideration respectfully report back with the recommendation that it do pass.

CARDWELL, Chairman.

Report adopted and Bill referred to Steering Committee.

Referring back to the Fifth order of business, the following communications from the House were received and read:

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 343 have been read a third time and passed by the House, as amended, and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 388 and 387 and 369 as amended, have been read a third time

passed by the House, and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 365, 393, Sub. for 316, 312, H. J. C. R. No. 11, have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bills were this day by unanimous consent, introduced and read first and second times:

By Cameron: H. B. No. 416. A Bill for an Act providing for the creation of herding districts for livestock, and prohibiting livestock from running at large therein and prescribing penalties.

By Shaw: H. B. No. 417. A Bill for an Act providing for the publication of the names of persons nominated for election for Public Office.

Respectfully,

C. B. GIBBS, Chief Clerk.

By unanimous consent rules were suspended and the following Bills read a first and second times by title only:

H. B. No. 388: By Committee on Appropriations. A Bill for an Act entitled, "An Act appropriating money for the payment of claim of S. A. D. Hahn for services".

Referred to Committee on Finance and Claims.

H. B. No. 387: By Committee on Appropriations. A Bill for an Act entitled, "An Act appropriating money for the payment of certain claims for expenses incurred by the Committee appointed to investigate the car and coal shortage in Montana".

Referred to Committee on Finance and Claims.

H. B. No. 369: By Committee on Livestock and Public Ranges. A Bill for an Act entitled, "An Act providing for the disposition of moneys received from the sale of estrays".

Referred to Committee on Finance and Claims.

H. B. No. 343: by Brewster. A Bill for an Act entitled, "An Act to provide for the gathering and sale of unknown strays upon the Public Domain, and to forbid the running at large of livestock under certain conditions.

Referred to Committee on Stockgrowing and Grazing.

H. B. No. 365: By Decker. A Bill for an Act entitled, "An Act authorizing and empowering the Carey Land Act Board to secure cancellation of bonds issued for the reclamation of arid lands under the Carey Congressional Act, and accept bonds in payment for canals, water rights, lands and appurtenances, and execute deeds therefor, and to compromise claims and make reclamation and settlement of said arid lands".

Referred to Committee on Public Lands.

H. B. No. 393: By A. H. Gray. A Bill for an Act entitled, "An Act to provide for the distribution to and among the various counties entitled thereto of the money derived from the forest reserves in the State of Montana under an Act of Congress approved June 30, 1906".

Referred to Committee on Counties, Towns and Municipal Corporations.

Sub. for H. B. No. 316: By Committee on Ways and Means. A Bill for an Act entitled, "An Act requiring corporations doing business in the State of Montana to pay an annual license fee".

Referred to Committee on Finance and Claims.

H. B. No. 312: By Cameron. A Bill for an Act entitled, "An Act to amend Section 654 of the Political Code of the State of Montana, relating to the sale of poisons".

Referred to Committee on Judiciary.

H. J. C. R. No. 11: Relating to compensation of elevator operators of the Capitol Building.

Referred to Committee on Finance and Claims.

Referring back to the Second Order of Business, Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 1, 1907.

Mr. President:

Your Committee on Railroads and Transportation to whom was referred H. B. No. 315, being a Bill for an Act entitled, "An Act to regulate the confiscation of coal by railroads, and common carriers, and providing penalties for the violation of this Act," beg to report that they have had the same under consideration, and recommend that it be amended as follows:

Amend Section 2 by inserting after the word "shipment" in line 5 of the original Bill the following, "and such other damages as may be caused by the confiscation of such coal".

And that as so amended the Bill be concurred in.

EVERETT, Chairman.

On motion of McCarthy report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 1, 1907.

Mr. President:

Your Committee on Railroads and Transportation to whom was referred S. B. No. 132, being a Bill for an Act entitled, "An Act defining the duties of railroads, railroad corporations, railroad companies, express companies, car companies, and every common carrier other than by water, and all persons or persons operating such common carrier as Receivers, Lessee, or Trustee, in the transportation of any kind of livestock, and providing an average minimum rate of speed of all trains carrying any such livestock, and providing penalties for all failures to comply with the provisions of this Act", beg leave to report:

That they have had said Bill under consideration and recommend that the same do pass.

EVERETT, Chairman.

Report adopted and Bill referred to Printing Committee.

Adjourned until 10:30 A. M. Monday.

C. E. WIGHT, Secretary.

Approved: EDWIN L. NORRIS, President of the Senate.

FIFTY-SEVENTH DAY

Helena, Montana, March 4th, 1907.

Senate convened at 10:30 A. M.

President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

A Resolution from the Butte Retail Grocers Association, of Butte Montana, endorsing House Bill No. 403, known as the Pure Food Bill, was received, read and placed on file.

An invitation from Thos. McTague to the President and Senate to dine at Broadwater, was received and read.

The Secretary was instructed to notify Mr. McTague of the acceptance and thanks of the Senate.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Steering begs leave to report the following Bills for General File: Senate Bills Nos. 59, 99, 116, House Bills, Nos. 85, 160, 228, 253, 256, 259, 261, 270, 293, 302, 309, 313, 315, 324, 325, 393.

DONLAN, Chairman.

Rpeort adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Mines and Mining, to whom was referred House Bill No. 267, being a Bill for an Act entitled "An Act providing for the establishment of Wash Houses at coal mines, and providing penalties for failure to comply with the same", beg leave to report and recommend that said Bill be amended by striking out the word "three" in line 4, Section 1, and insert in lieu thereof the word "eight"; and as amended the Bill be concurred in.

HARPER, Chairman.

On motion of White report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bills numbered 105, 125, and 129, beg leave to report as follows:

The same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills referred to Calendar for third reading.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Public Lands to whom was referred House Joint Memorial No. 7, relating to the Policy of the Government concerning Entrymen on the Public Lands beg leave to report: That they have had the same under consideration and recommend that it be concurred in.

McLEAN, Chairman.

Report adopted and Memorial referred to Steering Committee.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Public Lands to whom was referred House Bill No. 365, being a Bill for an Act entitled "An Act authorizing and empowering the Carey Land Act Board to secure cancellation of Bonds issued for the reclamation of arid lands, under the Carey Congressional Act, and accept Bonds in payment of Canals, Water Rights, Lands and Appurtenances, and execute Deeds therefor and to compromise claims, and make contract for the reclamation and settlement of such Arid Lands", beg leave to report: That they have had said Bill under consideration, and recommend that it be concurred in.

McLEAN, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 282, a Bill for an Act entitled "An Act approving certain duplicate Bounty Certificates and appropriating money for the payment thereof", hereby recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

After giving notice President signed House Bills Nos. 230, 272, H. J. M. No. 1, 233, 74, 181, 22, 271, 149, 161, 241, 146, 221, 212, 276, 304, 186, and 121.

Senate resumed reading reports of Standing Committees.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 317, a Bill for an Act entitled "An Act to construct a Fish way in Kootenai River, and appropriate money therefor" hereby recommend that the same be indefinitely postponed.

Respectfully submitted,

McCONE, Chairman.

On motion of McCone report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 314, a Bill for an Act entitled "An Act to amend Section 875 of the Political Code, as amended by Senate Bill No. 75, of the Laws of 1897, so as to increase the salary of the Clerk of the Supreme Court, and to amend Section 1716 of the Political Code, so as to increase the salary of the Superintendent of Public Instruction", hereby recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 376, a Bill for an Act entitled "An Act appropriating money from the General Fund to be placed to the credit of the Stock Indemnity Fund", hereby recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 387, a Bill for an Act entitled "An Act appropriating money for the payment of certain claims for expenses incurred by the Committee appointed to investigate the car and coal shortage in Montana", hereby recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 301, a Bill for an Act entitled "An Act appropriating money for the payment of the claim of certain sheriffs of the State of Montana for expenses incurred in transporting prisoners to the penitentiary during the years 1905 and 1906, hereby recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 378, a Bill for an Act entitled "An Act to amend Section 3498 of the Political Code as enacted by House Bill No. 45, approved March 1st, 1899, relating to the investment of the permanent School Fund, and the permanent funds of the State Institutions of Learning, hereby recommend that the same be indefinitely postponed.

Respectfully submitted,

McCONE, Chairman.

On motion of Albright, report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill numbered 388, a Bill for an Act entitled "An Act appropriating money for the payment of claim of S. A. D. Hahn, for services", hereby recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill

numbered 369, a Bill for an Act entitled "An Act providing for the disposition of moneys received from the sale of estrays", hereby recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 162, being a Bill for an Act entitled "An Act appropriating money for the payment of the claims of certain persons against the State of Montana from losses arising from the slaughtering of diseased animals, under provisions of Sections 3005 and 3006 of the Political Code of the State of Montana", after having the same under consideration, hereby recommend that the same be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, having had under consideration House Bill No. 227, being a Bill for an Act entitled "An Act to amend Section 411 of the Civil Code of Montana relating to making and filing of Articles of Incorporation of Domestic Corporations, and repealing Section 406 of the Civil Code", respectfully report back that the same be concurred in.

Respectfully,

MILES, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, having had under consideration House Bill No. 110, being a Bill for an Act entitled "An Act to amend Article 7, of Chapter 2, of Title 10, Division III, of Part IV of the Cvil Code of the State of Montana relating to the use of fictitious names by adding thereto a new Section to be known and numbered Section 3285, requiring every individual using a firm or corporate name to file and publish certificates giving the name of such individual", respectfully report back that the same be concurred in.

Respectfully,

MILES, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Fish and Game having had under consideration House Bill numbered 279, being a Bill for an Act entitled "An Act providing an open and closed season for the killing of deer", respectfully report back that the same be concurred in.

Respectfully,

MILES, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Enrolled Bills reports that Senate Bills Nos. 41, 55, 90, 74, and 25, have been duly signed by the Speaker of the House, and are now in the hands of His Excellency, the Governor.

Respectfully submitted,

RAE, Chairman.

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bills numbers 46, 60, 62, and 69, beg leave to report as follows:

That the same have been correctly enrolled.

Respectfully submitted,

RAE, Chairman.

After giving notice President signed Senate Bills Nos. 60, 69, 62, and 46.

Following communications from the House received and read:

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bill was this day introduced and read first and second times:

By Blake: H. B. No. 415. A Bill for an Act entitled "An Act to amend Section 443 of the Political Code of Montana relating to Bonds to be given the State Treasurer.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 4, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 286, 279, 336, 333 and 386, have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 2, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the House has again refused to concur in Senate Bill No. 98, and the Bill is herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 2, 1907

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 364, 296, 88, and 335 have been read a third time and passed by the House, as amended, and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

By unanimous consent rules were suspended and the following Bills read a first and second times by title only:

H. B. No. 364: By Committee on Appropriations. A Bill for an Act entitled, "An Act to pay employees of the Senate and House, as provided in Section 209, Part 3, Title 1, Chapter 2, Article 4, and as provided for in Section 223, Part 3, Title 1, Chapter 2, Article 5, of the Political Code of the State of Montana."

Referred to Committee on Finance and Claims.

H. B. No. 296: By Cameron. A Bill for an Act entitled, "An Act to amend Sections 494, 495, 496, 497, 498 and 499 of the Political Code of Montana, as amended by Chapter C, Acts of 1903, relating to the State Examiner's Office and fund".

Referred to Committee on Finance and Claims.

H. B. No. 88: By Macaulay: A Bill for an Act entitled, "An Act providing for the registration of Electors in counties, cities and towns, and for penalties for the violation thereof".

Referred to Committee on Elections and Privileges.

H. B. No. 335: By Gray, by Request. A Bill for an Act entitled, "An Act to amend Section 1763 of Chapter II, Title XIII, Part II, of the Code of Civil Procedure of the State of Montana, relating to appeals to District Courts".

Referred to Committee on Judiciary.

H. B. No. 286: By Bennetts. A Bill for an Act entitled, "An Act authorizing Board of County Commissioners in Counties of the first class to establish and maintain a law library, and to provide for its care and maintenance".

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 279: By Scallon. A Bill for an Act entitled, "An Act providing for a Commission for the promotion of uniformity of legislation in the United States, and for the payment of the necessary expenses of the members of such commission".

Referred to Committee on Judiciary.

H. B. No. 336: By Weed, by Request. A Bill for an Act entitled, "An Act appropriating money for the payment of the claim of Powell County against the State of Montana on account of money expended in prosecuting an inmate of the State Prison".

Referred to Committee on Finance and Claims.

H. B. No. 333: By Cameron. A Bill for an Act entitled, "An Act to amend Section 4044 of the Political Code of Montana, as amended by Chapter XCII, Laws of 1903, relating to licenses".

Referred to Committee on Finance and Claims.

H. B. No. 386: By Committee on Fairs and Expositions: A Bill for an Act entitled, "An Act creating a Commission to provide for the display of the resources of Montana, at the Alaska-Yukon-Pacific Exposition at Seattle, Washington, in 1909; to define its duties and powers, and to make an appropriation therefor".

Referred to Committee on Fairs and Expositions.

The following communication from His Excellency, the Governor, was received and read:

Executive Office, Helena, Montana, March 4, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana.

The following Senate Bills have been approved and deposited with the Secretary of State:

No. 8. An Act to amend Section 1884 of the Civil Code of the State of Montana, relating to the use of surplus waters by prior appropriators.

No. 40. An Act entitled "An Act to amend Section 1940A and 1940B of the Political Code of Montana, as enacted by the Fifth Legislative Assembly of the State of Montana, through Senate Bill No. 44, approved March 8th, 1897, and as amended by House Bill No. 191, Session Laws of 1901, approved March 9, 1901, relating to the levy of taxes for support of common schools".

No. 32. An Act to repeal an Act entitled "An Act to provide for the nomination of candidates by direct vote at a primary election; to provide a method of adopting such Act in any county or city and to amend Section 1206 of Political Code as amended by the Laws of 1899, and 260 of the Political Code" approved March 6th, 1905; and to make the provisions of the general registration and election laws of the State applicable to the Counties having adopted the above Act.

No. 96. An Act authorizing Boards of County Commissioners to vacate parks, boulevards, and other public grounds in plats of unincorporated townsites, upon petition of interested freeholders.

No. 29. An Act entitled "An Act to amend Section 1 of Chapter 29 of Session Laws of 1905, approved February 21, 1905, entitled "An Act entitled Section 950 to 953, Title 8, Chapter 3, Part 4, Division 1, of the Civil Code of the State of Montana, relating to the liabilities of Railway Companies for the killing or injuring of live stock.

No. 94. An Act validating the acts of Boards of County Commissioners in establishing and locating County Free High Schools, and of Boards of County Free High School Trustees in issuing bonds for the erection of High School Buildings.

No. 41. An Act assenting to the provisions of an Act of Congress entitled "An Act to provide for an increased annual appropriation for agricultural Experiment Stations, and regulating the expenditure thereof", approved March 16, 1906.

No. 55. An Act entitled "An Act to empower the Montana State Board of Horticulture to establish a quarantine over any orchard, or place where fruits are grown or kept, that is infested with any injurious disease or insect pest; empowering said Board to establish rules, and regulations governing such quarantine and fixing the penalty for violation thereof. To provide for the collection of money expended by the said State Board of Horticulture in the eradication of diseases and the insect pests and fruit trees".

No. 90. An Act prohibiting the exhibition of moving pictures wherein are exhibited the pictures of burglaries, train robberies, or any other act which would constitute a felony.

No. 74. An Act entitled "An Act to amend Section 717 of the Penal Code of the State of Montana as the same is amended by Chapter 39, Laws of 1905, relating to the sale of intoxicating beverages within five miles of any railroad grade, irrigation ditch or canal, in course of construction or any railroad grade on which track is being laid, or within five miles of any logging camp, saw mill,

mine, stone quarry or sheep shearing camp in operation, making exceptions to the provisions of this Act, and defining the meaning of the words "town" and "city", as used herein.

No. 25. An Act to amend Section 451 of the Civil Code as amended by Chapter 32 of the Laws of 1903 relating to annual reports of corporations.

J. K. TOOLE, Governor.

Long moved to reconsider the vote by which the Senate approved the report of the Committee on Finance and Claims of indefinitely postponing House Bill No. 317.

Motion carried.

Long moved that the House be requested to return to the Senate House Bill No. 317.

Motion carried.

White moved that the vote by which Senate Bill No. 83 passed the Senate be reconsidered.

Edwards moved that the motion to reconsider be laid on the table.

Martien demanded a roll call.

On roll call the motion to lay on the table was carried by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Metcalf, Miles, Muffly, McDonnell, McLean, Rae, Romney, Sanders, Tooley.—20.

Noes: Martien, Truscott, White.—3.

Absent and not voting: Haviland, Long, McCarthy, McCone.—4.

On motion of White Senate Bill No. 128 was withdrawn from the Committee on Engrossed Bills.

White moved that the vote by which Senate approved of the report of the Steering Committee and the Committee of the Whole on Senate Bill No. 128 be reconsidered.

Motion carried.

On motion of White Senate Bill No. 128 was re-referred to General File.

Long moved that the Judiciary Committee be instructed to report not later than 2 o'clock this afternoon on Substitute for House Bill No. 210.

White moved as an amendment that the Judiciary Committee be allowed until 2 o'clock Tuesday afternoon to report on said Bill.

Long demanded a roll call.

On roll call the amendment motion carried by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Harper, Haviland, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Sanders, Tooley, White.—19.

Noes: Cowgill, Glidden, Long, Muffly, Rae, Romney, Truscott.—7.

Absent and not voting: Donlan.—1.

Whereupon the vote recurring upon the original motion as amended same was carried.

By unanimous consent rules were suspended and Miles allowed to introduce a Bill without previous notice.

By unanimous consent rules were suspended and the following Bill read a first and second time by title only:

S. B. No. 135: By Miles. A Bill for an Act entitled "An Act to create

a Commission to be known as the Montana State Fish Commission, naming the State Game Warden as a member of said Commission, and providing for the appointment of two other members of said Commission by the Governor, fixing the duties and compensation of said Commission, and authorizing them to locate, construct and equip a State Fish Hatchery, to regulate the distribution of the product of said hatchery, and to appropriate money from the Game and Fish Fund, for all of said purposes".

Referred to Committee on Fish and Game,

On motion of Donlan Senate resolved itself into Committee of the Whole to consider Bills on the General File with,

Tooley in the Chair.

Committee arose.

Senate resumed.

President in the Chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, March 4, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

S. B. No. 59 do pass as amended.

That S. B. No. 99 do pass as amended.

That S. B. No. 116 do pass as amended.

That H. B. No. 85 be concurred in.

That H. B. No. 160 be concurred in.

That H. B. No. 228 be concurred in as amended.

That H. B. No. 253 be concurred in.

That H. B. No. 256 be withdrawn from General File and re-referred to Committee on Judiciary.

That Sub. for H. B. No. 259 be concurred in.

That H. B. No. 261 be concurred in.

That H. B. No. 270 be concurred in.

That H. B. No. 293 be concurred in.

That H. B. No. 302 be concurred in.

That H. B. No. 309 be concurred in, as amended.

That H. B. No. 313 be concurred in.

That H. B. No. 315 be concurred in, as amended.

That H. B. No. 325 be concurred in, as amended.

That H. B. No. 324 be concurred in.

That H. B. No. 393 be concurred in.

TOOLEY, Chairman.

House Bill No. 256 re-referred to Committee on Judiciary.

Senate Bills Nos. 59, 99 and 116 referred to Committee on Engrossed Bills.

House Bills Nos. 85, 160, 228, 253, 309, 261, 270, 293, 302, 313, 315, 324, 325, 393, and Sub. for H. B. No. 259 referred to Calendar for Third Reading.

On motion of Tooley report adopted.

Recessed until 2:30 P. M.

Senate reconvened at 2:30 P. M.

President in the Chair.

Roll called. Quorum present.

By unanimous consent rules were suspended and the following Bills con-

sidered read a third time at length, read by title only.

S. B. No. 105 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Metcalf, Miles, McCarthy, McCone, McLean, Rae, Tooley, White.—20.

Noes—None.

Absent and not voting: Haviland, Martien, Muffly, McDonnell, Romney, Sanders, Truscott.—7.

Title agreed to.

Senate Bill No. 125 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Metcalf, McCarthy, McCone, McLean, Rae, Tooley, White.—19.

Noes—None.

Absent and not voting: Haviland, Martien, Miles, Muffly, McDonnell, Romney, Sanders, Truscott.—8.

Title agreed to.

S. B. No. 129 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Long, McCarthy, McCone, McLean, Rae, Tooley, White.—17.

Noes—None.

Absent and not voting: Donlan, Haviland, Martien, Metcalf, Miles, Muffly, McDonnell, Romney, Truscott.—10.

Title agreed to.

H. B. No. 85 not concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Donlan, Everett, Long, Miles, McCarthy, Tooley.—9.

Noes: Albright, Edwards, Fairbanks, Glidden, Harper, Metcalf, McCone, McLean, Rae, Sanders, White.—11.

Absent and not voting: Cowgill, Haviland, Martien, Muffly, McDonnell, Romney, Truscott.—7.

H. B. No. 160 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Metcalf, Miles, McCarthy, McCone, McLean, Rae, Sanders, Tooley, White.—20.

Noes—None.

Absent and not voting: Haviland, Martien, Muffly, McDonnell, Romney, Truscott, Cowgill.—7.

Title agreed to.

H. B. No. 253 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes: None.

Absent and not voting: Haviland, McDonnell.—2.

Title agreed to.

Sub. for H. B. No. 259 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards,

Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Haviland, McCone, McDonnell.—3.

Title agreed to.

H. B. No. 228 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Metcalf, Miles, McCarthy, McCone, McLean, Rae, Sanders, Tooley, Truscott, White.—22.

Noes—None.

Absent and not voting: Haviland, Martien, Miles, McDonnell, Romney. —5.

On motion of Long the Title to H. B. No. 228 was amended by adding to the title at the end thereof the words "relating to divorces and separations, and defining extreme crueltys".

Title as amended agreed to.

H. B. No. 261 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott.—24.

Noes—None.

Absent and not voting: Albright, McDonnell, White.—3.

Title agreed to.

H. B. No. 270 concurred in by the following vote:

Ayes: Albright, Bielenberg, Cardwell, Donlan, Edwards, Glidden, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—21.

Noes: Annin, Cowgill, Fairbanks, Harper.—4.

Absent and not voting: Everett, McDonnell.—2.

Title agreed to.

H. B. No. 293 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: McDonnell.—1.

Title agreed to.

H. B. No. 302 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: McDonnell.—1.

Title agreed to.

H. B. No. 309 concurred in by the following vote:

Ayes: Annin, Cardwell, Cowgill, Donlan, Edwards, Everett, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCone, McLean, Rae, Romney, Tooley, Truscott, White.—19.

Noes: Albright, Bielenberg, Fairbanks, Glidden, Harper, McCarthy.—6.

Absent and not voting: McDonnell, Sanders.—2.

Title agreed to.

H. B. No. 313 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White. —25.

Noes: Glidden.—1.

Absent and not voting: McDonnell.—1.

Title agreed to.

H. B. No. 315 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White. —25.

Noes—None.

Absent and not voting: Haviland, McDonnell.—2.

On motion of Long Title to H. B. No. 315 was amended by adding after the word "by" the words "Any person". Title as amended agreed to.

H. B. No. 324 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White. —25.

Noes.—None.

Absent and not voting: Haviland, McDonnell.—2.

Title agreed to.

H. B. No. 325 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White. —25.

Noes.—None.

Absent and not voting: Donlan, McDonnell.—2.

Title agreed to.

H. B. No. 393 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White. —24.

Noes.—None.

Absent and not voting: Donlan, Everett, McDonnell.—3.

Title agreed to.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 4th, 1907.

Mr. President:

Your Committee on Fish and Game having had under consideration Sen-

ate Bill No. 135 relative to the establishment of a Fish Hatchery, respectfully report back that the same do pass.

Respectfully submitted,

MILES, Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, March 4th, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bills Nos. 92, 123, 130, 131 and Sub. for S. B. Nos. 115 and 108 correctly printed.

SANDERS, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 4th, 1907.

Mr. President:

Yonr Committee on Mines and Mining to whom was referred House Bill No. 250, being a Bill for "An Act entitled "An Act to amend An Act approved March 18, 1901, entitled 'An Act creating the office of Inspector of Coal Mines, defining his duties and providing for his salary and providing penalties for the violation thereof.' Creating the Office of Coal Mine Inspector, and making the Coal Mine Inspector Ex-Officio the sealer of weights and measures for coal mines, and providing for his removal from office for cause, also providing for the payment of fees for inspecting coal mines, and inspection of coal mine scales; also defining the duties of said Coal Mine Inspector, providing for his salary and providing penalties for the violation thereof," beg leave to report and recommend that said Bill be amended as follows: Strike out in the title, after the word "cause" the following "Also providing for the payment of fees for inspecting coal mines and inspection of coal mine scales."

Amend Section 3, line 13, by striking out the words "Three Thousand Dollars" and insert in lieu thereof the words "Twenty-five Hundred Dollars".

Cut out all of Sections 9 and 10, and re-number the succeeding Sections to correspond, and as amended recommend that the Bill be concurred in.

HARPER, Chairman.

On motion of Harper report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 4th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Senate Bill No. 120, being a Bill for an Act entitled "An Act to amend Section 601 of the Civil Code of Montana relating to the liability of stockholders," beg leave to report that they have duly considered said Bill and respectfully recommend that the same be indefinitely postponed.

WHITE, Chairman.

On motion of White report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, March 4th, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bills

numbered Sub. 68, 78, 81 and 84 beg leave to report as follows: That the same have been correctly enrolled.

Respectfully submitted,

RAE, Chairman.

After giving notice President signed Senate Bills Nos. Sub. 68, 78, 81 and 84.

Senate resumed reading reports of Standing Committees.

Senate Chamber, Helena, Montana, March 4th, 1907.

Mr. President:

Your Committee on Steering begs leave to report the following Bills for General File:

Senate Bills Nos. 117, 128, 123, H. J. M. No. 7, House Bills Nos. 162, 183, 267, 282, 301, 352, 365, 387, 388.

DONLAN, Chairman.

Report adopted and Bills referred to General File.

Following communications from His Excellency the Governor received and read:

Executive Office, Helena, Montana, March 4th, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana:

I herewith return Senate Bill No. 35, entitled "An Act to amend Section 1270, 1355, 1360 1408, 1410, 1412, 1413 and 1414 of the Political Code of the State of Montana, and Sections 1354 and 1361 of the same Code, as amended by House Bill No. 59 of the Laws of 1901, approved March 7, 1901, relating to ballots, voting and election returns, and providing further for the voter while preparing his ballot and casting the same," without my approval and with my objections thereto.

The Bill is meritorious, in my opinion in so far as it attempts to further safeguard the ballot against fraud, and the possibilities of what is known as the "endless chain", and to that extent might be commendable as a separate and independent measure; but it should not be regarded as of such importance as to engraft upon the law a narrow and unjustifiable restraint upon a custom which has long existed in this State by which sympathetic parties have fused upon certain candidates.

A similar Bill was passed by the Ninth Session, and failed for want of my approval. One of the objections then urged and now renewed was as follows:

"While the Bill might tend to prevent a recognition of mushroom parties believed by many to have no greater motive behind them for existing than a division of offices without regard to principle advocated, still, if this be true in some instances, yet in this day and generation, where there seems to be a well devised and wide spread effort to enlarge rather than curtail the rights of people, it is better to submit to this imperfection, if imperfection it be, than to fly to others which might be worse by adopting a new method at variance and out of harmony with the spirit of the times."

J. K. TOOLE, Governor.

The chair announced that the vote would recur upon the question "Shall the Bill become a Law, notwithstanding the objections of the Governor?"

Albright moved a call of the Senate.

Motion carried.

The Secretary thereupon called the roll of Senators.

Present: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Absent: McDonnell.—1.

The Scargeant at Arms was directed to bring McDonnell to the bar of the Senate.

McDonnell appeared and answered roll call.

Further proceedings of the call were dispensed with, all Senators being present.

The vote was then taken upon the question: Shall Senate Bill No. 35 be passed, notwithstanding the Governor's objections?

Roll call resulted as follows:

Ayes: Albright, Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Long, Metcalf, Miles, Muffly, McCone, McDonnell, McLean, Rae, Sanders, Tooley, White.—20.

Noes: Cardwell, Glidden, Haviland, Martien, McCarthy, Romney, Truscott.—7.

The Secretary was instructed to transmit S. B. No. 35 to the House with the Governor's message, informing the House of the action of the Senate on said Bill. Senate by a more than two-thirds vote having failed to sustain the objections of the Governor.

Executive Office, Helena, Montana, March 4th, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana:

I herewith return Senate Bill No. 42, "An Act entitled An Act providing that upon sale of all lands belonging to the State of Montana, minerals and coal shall be reserved in the patent," without my approval and with my objections thereto.

As indicated by the title, the purpose of the bill is to reserve to the State upon sale of lands the minerals and gold contained in the land. It will be observed that the term, "minerals and coal contained in the land, does not apply simply to minerals and coal known to be contained in such lands, at the time of the sale or issuance of the patent, but applies to all minerals and coal contained therein, whether known or unknown.

In my opinion this is placing an unnecessary embargo upon the title to lands sold by the State, and one which will certainly tend to depreciate their value. Reservations of this character are embodied in conveyances made by the Northern Pacific Railroad to lands granted it by Congress, but these lands in the main have been sold at a dollar and a dollar and a quarter an acre, sometimes at a much less price, while State lands cannot be sold for less than ten dollars an acre.

It is my opinion as well as that of the State Board of Land Commissioners, that such reservations in the State patents would have the effect of producing a leasing system of State lands, rather than a sale thereof, a policy which ought not to be determined in a new country by any hard and fast rule of the law. Besides it has been the general policy of the Government of the United States, as I believe it ought to be of the State of Montana, to encourage the exploration and development of our mineral

resources. If a patent to State lands contains a reservation to the State of all the unknown minerals and coal contained therein, it is altogether certain that the purchaser of such lands will not undertake to explore or develop the same, unless it will result in no benefit to such purchaser and might result in a great detriment to him, since the bill further provides in Section 3, that any patent for lands so "sold shall also contain a reservation to the State and its duly authorized representatives of a suitable right of way to be by the State determined for the proper exploration and development of any mine or mines discovered in such lands and for the proper extraction and removal of minerals or coal therefrom.

It is believed that such an easement and servitude as this Section imposes upon the land where minerals contained therein are unknown at the time of the patent would greatly lessen the value of the grant to the State from the Federal Government by interfering with the sale and disposition thereof.

It will be noted also that mineral land as now construed in sufficiently comprehensive to include limestone and other stone quarries.

I think upon the whole, with the well known disposition of the State Board of Land Commissioners to conserve the interest of the State and to protect and preserve its minerals and coal wherever known, that this object of reservations may well be left to its judgment and discretion.

J. K. TOOLE, Governor.

The question was asked, "Shall S. B. No. 42 be passed notwithstanding the Governor's objections?

Roll was called and the veto of the Governor sustained by the following vote:

Ayes: None.

Noes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Absent and not voting: Everett.—1.

The following communications from the House received and read:

House of Representatives, Helena, Montana, March 4, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following bills were this day introduced by unanimous consent, read first and second times:

By Committee on Ways and Means: H. B. No. 418. A Bill for an Act entitled, "An Act repealing Sections 2990, 3046 and 3076 of the Political Code, and all acts amendatory thereof, or supplementary to said Sections, and which provides for special taxes on cattle, horses, mules, asses and sheep".

By Shaw, by Request: H. B. No. 419. A Bill for an Act to add additional section to Article 2, Chapter 2, Title 2, Part 4, of the Political Code of Montana, relating to County Printing, to be designated as Chapter 4234, providing for a penalty for violation of Section 4232 of the Political Code.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 4, 1907.

Mr. President:

I am directed by the House to again return H. B. No. 317 as per your request.

Respectfully,

C. B. GIBBS, Chief Clerk.

Long moved that the report of Committee on Finance and Claims on H B. No. 317 be not approved and the bill referred to Steering Committee.

Motion carried.

House of Representatives, Helena, Montana, March 4, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body, that Senate Bills Nos. 50 and 101 have been read a third time and concurred in by the House and are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

Senate Bills Nos. 50 and 101 referred to Committee on Enrolled Bills.

Rae moved that the vote by which S. B. No. 85 was non-concurred in be reconsidered.

Sanders moved that the motion to reconsider be laid on the table.

Martien demanded a roll call.

On roll call the motion to lay on the table was lost by the following vote:

Ayes: Metcalf, McDonnell, Sanders.—3.

Noes: Annin, Bielenberg, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Miles, Muffly, McCarthy, McCone, Rae, Romney, Tooley, Truscott, White.—21.

Absent and not voting: Albright, Cowgill, McLean.—3.

Whereupon the vote recurring upon the original motion the same was carried.

On motion of Rae the Secretary was instructed to have H. B. No. 85 returned from the House.

On motion of Donlan Miss Emma Bowers was employed as a clerk for the remainder of the session.

On motion of Donlan Senate resolved itself into Committee of the Whole to consider bills on the General File, with

Martien in the chair.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, March 4th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend,

That Sub. for S. B. No. 117 do pass;

That S. B. No. 128 do pass as amended;

That H. J. M. No. 7 be concurred in;

That H. B. No. 162 be concurred in;
That H. B. No. 183 be concurred in;
That H. B. No. 267 be concurred in as amended;
That H. B. No. 282 be concurred in;
That H. B. No. 301 be concurred in;
That H. B. No. 352 be concurred in;
That H. B. No. 365 be concurred in;
That H. B. No. 387 be concurred in;
That H. B. No. 388 be concurred in.

MARTIEN, Chairman.

On motion of Martien report adopted.

Sub. for S. B. No. 117 and S. B. No. 128 referred to Committee on Engrossed Bills.

H. J. M. No. 7, and House Bills Nos. 162, 183 267, 282, 301, 352, 365, 387 and 388 referred to Calendar for Third Reading.

The following communication from the House was received and read:

House of Representatives, Helena, Montana, March 4, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body, that Senate Amendments to H. B. No. 231 were not concurred in by the House, and Mr. Speaker has appointed Representatives Blake, McManus and Blewett, as a conference committee to confer with a like committee from the Senate; the bill is herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

Donlan moved that the President appoint a conference committee of three to confer with a like committee from the House on H. B. No. 231.

Motion carried.

President appointed Haviland, McCone and Miles as such Conference Committee.

Committee on Engrossed Bills reported as follows:

Senate Chamber, Helena, Montana, March 4th, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred S. B. No. 124, and Sub. for S. B. No. 58 beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills referred to Calendar for Third Reading.

Senate resumed reading of House communications:

House of Representatives, Helena, Montana, March 4, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that S. J. R. No. 3 having been read a third time and concurred in by the House as amended, is herewith returned to your Honorable Body for its concurrence to House amendments.

Respectfully,

C. B. GIBBS, Chief Clerk.

House amendments to S. J. R. No. 3 were not concurred in by the following vote:

Ayes: Annin, Cowgill, Everett, Metcalf, McCone, Sanders.—6.

Noes: Albright, Bielenberg, Donlan, Edwards, Fairbanks, Glidden, Long, Miles, Muffly, McCarthy, McDonnell, McLean, Rae, Tooley, Truscott, White.—16.

Absent and not voting: Cardwell, Harper, Haviland, Martien, Romney.—5.

Everett moved that the President appoint a Conference Committee of three to confer with a like committee from the House concerning said amendments.

Motion carried.

President appointed Edwards, Everett and Bielenberg as such Conference Committee.

House of Representatives, Helena, Montana, March 4, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bills Nos. 85 have been read a third time, and concurred in by the House, and are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

S. B. No. 85 referred to Committee on Enrolled Bills.

House of Representatives, Helena, Montana, March 4, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that S. C. R. No. 6, having been read a third time and concurred in by the House is herewith returned to your Honorable Body.

Respectfully,

C. B. GIBBS, Chief Clerk.

In accordance with the Resolution the Secretary was instructed to have copies sent to the Senators and Representatives in Congress, as provided in said Resolution.

House of Representatives, Helena, Montana, March 4, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body, that House Bills 397, 247 and Sub. for H. B. No. 390 have been read a third time and passed by the House as amended, and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

By unanimous consent rules were suspended, and the following bills considered read a third time at length, read by title only:

H. B. No. 387 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Harper, Long, Martien, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott.—22.

Noes: Glidden, Metcalf, White.—3.

Absent and not voting: Edwards, Haviland.—2.

Title agreed to.

H. B. No. 388 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Martien, Metcalf, Miles, Muffly, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott.—22.

Noes: White.—1.

Absent and not voting: Edwards, Haviland, Long, McCone.—4.

Title agreed to.

Substitute for S. B. No. 58 passed by the following vote.

Ayes, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Harper, Long, Miles, McCone, McLean, Rae, Sanders, Tooley, White. —16.

Noes: Donlan, Glidden, Martien, Metcalf, Muffly, McCarthy, McDonnell, Romney, Truscott.—9.

Absent and not voting: Albright, Haviland.—2.

Title agreed to.

S. B. No. 124 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Glidden, Harper, Long, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Noes: Everett, Fairbanks.—2.

Absent and not voting: Haviland, Martien.—2.

Title agreed to.

H. J. M. No. 7 concurred in by the following vote:

Ayes: Albright, Annin Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes: None.

Absent and not voting: Cardwell, Harper, Haviland.—3.

Title agreed to.

H. B. No. 162 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cowgill, Donlan, Edwards, Fairbanks, Glidden, Martien, Metcalf, Miles, Muffly, McCarthy, McDonnell, McLean, Rae, Sanders, Tooley, Truscott.—19.

Noes: Everett, Long, White.—3.

Absent and not voting: Cardwell, Harper, Haviland, McCone, Romney, —5.

Title agreed to.

H. B. No. 183 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Harper, Long, Martien, Metcalf, Muffly, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott.—19.

Noes: Albright, Glidden, McCarthy, White.—4.

Absent and not voting: Edwards, Haviland, Miles, McCone.—4.

Title agreed to.

H. B. No. 267 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—22.

Noes: Muffly.—1.

Absent and not voting: Edwards, Haviland, Miles, McCone.—4.

Title agreed to.

H. B. No. 282 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Glidden, Long, Martien, Metcalf, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—20.

Noes: None.

Absent and not voting: Edwards, Fairbanks, Harper, Haviland, Miles, McCone.—7.

Title agreed to.

H. B. No. 301 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Glidden, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes: None.

Absent and not voting: Albright, Fairbanks, Haviland.—3.

Title agreed to.

H. B. No. 365 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes: None.

Absent and not voting: Albright, Edwards, Haviland.—3.

Title agreed to.

H. B. No. 352 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Glidden, Donlan, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes: None.

Absent and not voting: Albright, Fairbanks, Haviland.—3.

Title agreed to.

H. B. No. 352 reads as follows:

H. B. No. 352: Introduced by Allen. A Bill for an Act entitled "An Act providing for the submission to the electors of the State of Montana, an amendment to Section 14, of Article 12 of the Constitution of the State of Montana relating to the care and management of public moneys in the hands of public officers, and providing for a State Depository Board to direct the depositing of State moneys in the possession of the State Treasurer."

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That there shall be submitted to the qualified electors of the State of Montana at the next general election, an amendment to Section 14 of Article XII of the State Constitution relating to the care and management of public moneys in the hands of public officers, and providing for a State Depository Board to direct the depositing of State moneys in the possession of the State Treasurer, so that said Section will read as follows:

Section 14. The Governor, State Auditor and the State Treasurer are hereby constituted a State Depository Board with full power and authority

to designate depositories with which all funds in the hands of the State Treasurer shall be deposited, and at such rate of interest as may be prescribed by law. When money shall have been deposited under the direction of said Depository Board and in accordance with the law the Treasurer shall not be liable for loss on account of any such deposit occurring through dam- by the elements or by any other cause or reason occasioned through means other than his own neglect, fraud or dishonorable conduct. The making of profit out of public moneys, or using the same for any purpose not authorized by law, by the State Treasurer or by any other public officer, shall be deemed a felony, and shall be punished as provided for by law, and part of such punishment shall be disqualification to hold any public office.

Section 2. A separate official ballot shall be prepared by the County Clerk of each County and furnished to the Judges of election in each precinct in the County to be used in voting upon said constitutional amendment at the general election to be used in November, 1908, each ballot shall have printed thereon the words: "For the amendment to the Constitution providing for the care and management of public moneys and providing for a State Depository Board." "Against the amendment to the Constitution providing for the care and management of public moneys and providing for a State Depository Board". And in canvassing the result the general election laws shall be applicable.

Section 3. It shall be the duty of the Governor to cause the question of the approval of said Constitutional Amendment to be submitted at the next general election.

Section 4. This Act shall take effect and be in full force from and after its passage and approval.

Referring back to Sixth Order of Business; by unanimous consent rules were suspended and the following bills read a first and second times by title only:

H. B. No. 247: By Weed. A Bill for an Act entitled "An Act to provide for the admission of mutual hail, cyclone, and tornado insurance companies, or associations organized under the laws of another state.

Referred to Committee on Judiciary.

H. B. No. 397: By Marshall. A Bill for an Act entitled "An Act to amend Chapter XII of Title X, of Part III, of the Political Code by adding thereto a section to be known as Section Number 4027".

Referred to Committee on Judiciary.

Sub. for H. B. No. 390. By Committee on Judiciary. A Bill for an Act entitled "An Act appropriating money for the payment of the balance due on mileage allowed by law to sheriffs for transporting prisoners to the State Prison during the years 1903 and 1904.

Referred to Committee on Finance and Claims.

Adjourned until 10:30 A. M. tomorrow.

C. E. WIGHT, Secretary.

Approved: EDWIN L. NORRIS, President of the Senate.

FIFTY-EIGHTH DAY

Helena, Montana, March 5th, 1907.

Senate convened at 10:30 A. M.

President in the chair.

Roll called, quorum present.

Prayer by the Chaplain.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Steering begs leave to report the following Bills for General File: Sub. for Senate Bill No. 111, Sub. for Senate Bills Nos. 115 and 108, Senate Bills Nos. 123, 130, 121, House Bills Nos. 9, 314, 317.

DONLAN, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred House Bill numbered 286 beg leave to report as follows:

We have had the same under consideration and recommend that the same be indefinitely postponed.

Respectfully submitted,

DONLAN Chairman.

On motion of Donlan report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred House Bill No. 258 beg leave to report as follows:

We have had the same under consideration and recommend that the same be indefinitely postponed.

DONLAN Chairman.

On motion of Albright, report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Counties and Town to whom was referred House Bills numbered 156 and 157 beg leave to report as follows:

We have had the same under consideration and recommend that they be concurred in.

Respectfully submitted,

DONLAN Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Fairs and Expositions to whom was referred House Bill numbered 386, beg leave to report as follows:

We have had the same under consideration and recommend that the same be concurred in.

Respectfully submitted,

DONLAN Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Elections and Privileges to whom was referred House Bill No. 306, being a Bill for an Act entitled "An Act to provide for the appointment of a State Board of Voting Machine Commissioners, defining their duties, powers and expenses thereof and providing rules and regulations for the use of voting machines in all Counties, Cities, Towns and Districts in the State of Montana", having had said Bill under consideration respectfully report back and recommend that the same be concurred in.

FAIRBANKS, Chairman.

Report adopted and Bill referred to Steering Committee.

Miles, Long, Rae and Annin reported for roll call.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Education to whom was referred House Bill No. 268, introduced by Shaw, respectfully report that after considering same recommend that same be concurred in.

TOOLEY, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Labor and Capital to whom was referred Substitute for House Bill No. 281 being a Bill for an Act to regulate plumbing in cities and towns in the State of Montana, etc., beg leave to report that they have had the said bill under consideration and recommend that it be amended as follows:

Add to Section 1, after the word "Montana" the following "having a population of Five Thousand or over", and as amended recommend that the said Bill be concurred in.

McCARTHY, Chairman.

On motion of McCone report adopted and Substitute Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bills Nos. 132, 133 and 134 correctly printed.

SANDERS, Chairman.

Report adopted and Bills referred to Steering Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 99, and Substitute for Senate Bill No. 117 beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills referred to Calendar for Third Reading.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Stockgrowing and Grazing to whom was referred Substitute for House Bill No. 57, a Bill for an Act entitled "An Act to amend Section 2941 of the Political Code of the State of Montana, as amended by House Bill No. 74, approved March 11, 1901, relating to the recording of brands, and providing for the appointment of a recorder and fixing his compensation," having had said Bill under consideration respectfully recommend that the same be not concurred in.

BIELENBERG, Chairman.

On motion of Tooley report adopted and Bill not concurred in.

After giving notice President signed House Bills Nos. 226, 43, 140, 196, 192, 277, 153, 168, Sub. for H. B. No. 50, H. J. M. No. 4, and H. J. M. No. 2, Sub. for House Bills Nos. 19 and 24, House Bills Nos. 128 and 158.

Senate resumed reading reports of Standing Committees.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Stockgrowing and Grazing, to whom was referred Sub. for House Bill No. 144, a Bill for an Act entitled "An Act to repeal Section 2492 of the Political Code relating to the publication of marks and brands and to provide in lieu thereof for the recording of marks and brands and the publication thereof," having had the same under consideration respectfully recommend that the same be not concurred in.

BIELENBERG, Chairman.

On motion of Tooley report adopted and Bill not concurred in.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committtee on Stockgrowing and Grazing to whom was referred House Bill No. 343, a Bill for an Act entitled "An Act to provide for the gathering and sale of unknown strays upon the public domain, and to forbid the running at large of livestock under certain conditions", having had said Bill under consideration respectfully recommend that the same be not concurred in.

BIELENBERG, Chairman.

On motioin of Albright report adopted and Bill not concurred in.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Joint Resolution No. 8, in reference to contract to be let for furnishing water for the State Capitol, beg leave to report.

That they have had said Resolution under consideration and recommend that it be concurred in.

Respectfully submitted,

McCONE, Chairman.

Report adopted and Resolution referred to Steering Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 333, being a Bill for an Act entitled "An Act to amend Section 4044 of the Political Code of Montana as amended by Chapter XCII, Laws of 1903, relating to licenses," beg leave to report:

That they have had said bill under consideration and recommend that it be concurred in.

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred Sub. for House Bill No. 390, being a Bill for an Act entitled "An Act appropriating money for the payment of a balance due on mileage allowed by law to sheriffs for transporting prisoners to the State Prison during the years 1903 and 1904", beg leave to report:

That they have had said Bill under consideration and recommend that it be concurred in.

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, March 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bill was introduced by unanimous consent and read first and second times:

By Miller of Park, by Request: H. B. No. 420. A Bill for an Act prohibiting the publication in newspapers, other papers, or otherwise, of offensive, improper and obscene advertising matter, and providing for prosecution and penalties.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 5th, 1907.

Mr. President:

I am directed by the House to return House Bill No. 85 as per your request.

Respectfully,

C. B. GIBBS, Chief Clerk.

Rae moved that House Bill No. 85 be re-referred to calendar for third reading.

Motion carried.

House of Representatives, Helena, Montana, March 4, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bill No. 35, being received together with the Governor's message, also the Governor's reasons for not signing same and communication of your

action notwithstanding the veto of the Governor, was this day passed by the House by a two-thirds vote.

Respectfully,

C. B. GIBBS, Chief Clerk.

By unanimous consent rules were suspended, and Glidden allowed to introduce the following Bill without previous notice:

S. B. No. 136: By Glidden. A Bill for an Act entitled An Act authorizing the Board of County Commisioners in each County to appropriate money out of the General Fund for the purpose of defraying the expenses of the exhibit of the County at the State Fair."

The same was under suspension of rules read first and second times, and referred to Committee on Fairs and Expositions.

Referring back to Fifth Order of Business following communications from the House was received and read:

House of Representatives, Helena, Montana, March 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 283, 297, 303, 347 and 356 have been read a third time and passed by the House as amended, and are herewith transmitted to your Honorable Body for its concurrence, also House Bills Nos. 360 and 350 herewith.

Respectfully,

C. B. GIBBS, Chief Clerk.

By unanimous consent rules were suspended and the following Bills read a first and second time by title only.

H. B. No. 283: By Gray, by Request. A Bill for an Act entitled, "An Act to amend Sections 2350, 2351 and 2352 of the Code of Civil Procedure of the State of Montana, relating to the probate of foreign wills."

Referred to Committee on Judiciary.

H. B. No. 297: By Cameron. A Bill for an Act entitled "An Act to amend Section LV of Chapter XXII of the Laws of 1905, and for adding to said Act a Section to be numbered Section 6a, relative to public weighers and public scales, and providing for purchase of standards of weights and measures, and appropriating money therefor".

Referred to Committee on Finance and Claims.

H. B. No. 303: By Allen. A Bill for an Act to amend Section 4643 of the Political Code of the State of Montana relating to the fees allowed by the Board of County Commissioners to Justices of the Peace and Constables in criminal cases, and providing for a fee for the serving of summons.

Referred to Committee on Judiciary.

H. B. No. 347: By Miller of Park, by Request. A Bill for an Act entitled "An Act to amend Section 4800 of the Political Code of the State of Montana as amended by House Bill No. 203 of the Fifth Legislative Assembly of the State of Montana, approved March 8th, 1897, and to amend Section 4814 of the Political Code of the State of Montana, relating to the Legislative powers of cities and towns.

Referred to Committee on Judiciary.

H. B. No. 360: By Warren, by Request. A Bill for an Act entitled "An Act regulating the hours of labor in State Institutions".

Referred to Committee on Finance and Claims.

H. B. No. 350: By Marshall. A Bill for an Act entitled "An Act to appropriate the sum of Three Hundred and Seventy-five ($375.00) Dollars, to pay Dr. Geo. H. Putney, for services as Meat and Milk Inspector for Missoula County for the months of December, 1904, and January and February, 1905.

Referred to Committee on Finance and Claims.

Committee on Enrolled Bills reported as follows:

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bills numbered 50 and 101 beg leave to report as follows:

That the same have been correctly enrolled.

Respectfully submitted,

RAE, Chairman.

After giving notice President signed Senate Bills Nos. 50 and 101.

On motion of Donlan Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

Everett in the chair.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend: that

Sub. for S. B. No. 111 do pass as amended;

That Sub. for S. Bills Nos. 115 and 108 do pass;

That S. B. No. 123 do pass;

That S. B. No. 130 do pass;

That S. B. No. 131 do pass;

That H. B. No. 9 be concurred in;

That H. B. No. 314 be concurred in;

That H. B. No. 317 be concurred in.

EVERETT, Chairman.

On motion of Albright report adopted.

Sub. for S. B. No. 111, Sub. for Senate Bills Nos. 115 and 108, S. B. No. 123, S. B. No. 130 and S. B. No. 131 referred to Committee on Engrossed Bills.

House Bills Nos. 314 and 317 referred to Calendar for Third Reading.

House Bill No. 9 not concurred in.

Tooley moved that H. B. No. 85 be taken from the Calendar for Third Reading and made a special order for two o'clock this afternoon.

Martien moved a call of the Senate.

Motion carried.

Roll call resulted as follows:

Present: Albright, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Absent: Haviland.—1.

The Sergeant at Arms was directed to bring Haviland to the Bar of the Senate.

Haviland not appearing, on motion of Donlan further proceedings under the call were dispensed with. On demand of Martien roll call ordered.

The motion to have H. B. No. 85 made a special order of business for 2 P. M. this afternoon was lost by the following vote:

Ayes: Annin, Cowgill, Fairbanks, Harper, Metcalf, Miles, McDonnell, Tooley.—8.

Noes: Albright, Bielenberg, Cardwell, Donlan, Edwards, Everett, Glidden, Long, Martien, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Truscott, White.—18.

Absent and not voting: Haviland.—1.

By unanimous consent rules were suspended and the following bills considered read a third time at length, read by title only:

S. B. No. 99 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott.—25.

Noes: None.

Absent and not voting: Haviland, White.—2.

Title agreed to.

Sub. for S. B. No. 117 passed by the following vote:

Ayes: Albright Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, Muffly, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott.—23.

Noes: None.

Absent and not voting: Haviland, McCarthy, Sanders, White.—4.

Title agreed to.

H. B. No. 85 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Miles, Muffly, McCarthy, McDonnell, McLean, Rae, Romney, Tooley, McCone, Truscott, White.—24.

Noes: Metcalf.—1.

Absent and not voting: Haviland and Sanders.—2.

Title agreed to.

H. B. No. 314 concurred in by the following vote:

Ayes: Albright, Annin, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Long, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott, White.—22.

Noes: None.

Absent and not voting: Bielenberg, Edwards, Haviland, Martien, Sanders.—5.

Title agreed to.

H. B. No. 317 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott, White.—25.

Noes: None.

Absent and not voting: Haviland, Sanders,—2.

Title agreed to.

Referring back to Fifth Order of Business, the following communications from the House were received and read:

House of Representatives, Helena, Montana, March 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos 280 and 257 have been read a third time and passed by the House, as amended, and are herewith transmitted to your Honorable Body for its concurrence, also 401.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 170, 327, 405 and 411, have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body, that House Bills Nos. 367, 351 and 342 have been read a third time and passed by the House, as amended, and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 406 and 299 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

Senate resumed reading of House Bills under suspension of the rules made heretofore.

H. B. No. 280: By Committee on Sanitary Affairs. A Bill for an Act entitled "An Act for preventing the manufacture and sale of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines and liquors, and for regulating traffic therein, and providing for the administration and enforcement thereof, and for the creation of the office of State Chemist,

prescribing and defining his duties and fixing the salary and expenses of said office, and making an appropriation for the salary and expense of the State Chemist.

Referred to Committee on Finance and Claims.

H. B. No. 357: By Campbell. A Bill for an Act entitled "An Act to authorize and empower cities of the first class to provide and maintain a hospital for the care of emergent cases, and to provide support and maintenance of such hospital.

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 401: By Griffin. A Bill for an Act entitled "An Act to prescribe the hours of labor for prison guards employed at the State Prison, and providing penalties for the violation thereof."

Referred to Committee on Labor and Capital.

H. B. No. 170: By Whiteside. A Bill for an Act entitled "An Act to authorize and direct the Executive Board of the Montana Agricultural College to establish a sub-station for the purpose of carrying on experiments in Horticulture and to appropriate money therefor.

Referred to Committee on Finance and Claims.

H. B. No. 327: By Logan, by Request. A Bill for an Act entitled "An Act to promote the propagation of Fish and Game and to provide for the appointment of County Game and Fish Commissioners.

Referred to Committee on Fish and Game.

H. B. No. 405: By Thompson of Fergus. A Bill for an Act entitled "An Act to establish a Sub-experimental Station in Fergus County, Montana, and providing for the acquisition or acceptance of title to the land for the same and the direction thereof, and appropriating money therefor.

Referred to Committee on Finance and Claims.

H. B. No. 411: By Joint Committee on State Penitentiary. A Bill for an Act entitled "An Act appropriating money for the erection and completion of the Women's Building, Hospital Building, and an additional wall at the State Prison at Deer Lodge, Montana.

Referred to Committee on Finance and Claims.

H. B. No. 367: By Maxwell, by Request. A Bill for an Act entitled "An Act to amend Section 448 of the Civil Code of the State of Montana, as amended by an Act entitled "An Act to amend Section 448 of the Civil Code of the State of Montana relating to the meetings of Stockholders and Board of Directors of corporations, approved February 24th, 1899, relating to the meetings of stockholders and board of directors of corporations.

Referred to Committee on Corporations other than Municipal.

H. B. No. 351: By Gray. A Bill for an Act entitled "An Act requiring the head physician of the State Insane Asylum to make monthly reports to the District Judges showing the condition of the inmates of said asylum.

Referred to Committee on Public Buildings.

H. B. No. 342: By Gray. A Bill for an Act entitled "An Act to empower the County Commissioners to employ some suitable person to investigate and report for assessment any property of persons or corporations that has escaped taxation.

Donlan moved that further consideration of the Bill be indefinitely postponed.

Motion carried.

H. B. No. 406: By Judiciary Committee. A Bill for an Act entitled "An Act embodying and to make uniform the law of warehouse receipts.

Referred to Committee on Judiciary.

Sub. for H. B. No. 299: By Committee on Railroads and Transportation. A Bill for an Act entitled "An Act authorizing the State Board of Stock Commissioners to collect for livestock killed by the operation of Railroads within this State where the owner has not asserted or presented claim therefor to the Railroad Company.

Referred to Committee on Railroads and Transportation.

H. B. No. 356: By Shaw. A Bill for an Act entitled "An Act to amend Section 448, Article VII, Chapter III, Part III of the Political Code of the State of Montana, relating to the duty of the State Treasurer to make quarterly reports to the Governor.

Referred to Committee on Finance and Claims.

Recessed until 2:30 P. M.

Senate re-convened at 2:30 P. M.

President in the chair.

Roll called, quorum present.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Steering begs leave to report the following Bills for General File:

H. J. R. No. 8, House Bills Nos. 156, 157, 250, 281, 333, 379, 386 and Sub. for House Bill No. 390.

DONLAN Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Fairs and Expositions to whom was referred Senate Bill numbered 136 beg leave to report as follows:

We have had the same under consideration and recommend that the same do pass.

Respectfully submitted,

DONLAN Chairman.

Report adopted and Bill referred to Printing Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill numbered 255, being a Bill for an Act entitled "An Act to amend Section 353 of the Penal Code of the State of Montana, relating to verdicts and judgments in cases of murder."

Also House Bill No. 335, being a Bill for an Act entitled "An Act to amend Section 1763 of Chapter II, Title XIII, Part II of the Code of Civil Procedure of the State of Montana, relating to appeals to district courts."

Also, House Bill No. 247, being a Bill for an Act entitled "An Act to provide for the admission of Mutual Hail, Cyclone and Tornado Insurance Companies or Associations organized under the laws of another state".

Beg leave to report and recommend that said Bills be concurred in.

WHITE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 312, being a Bill for an Act entitled, "An Act to amend Sections 654 of the Political Code of the State of Montana, relating to the sale of poisons."

Beg leave to report and recommend that the Bill be amended as follows:

Strike out in Section 11 after the words "oxalic acid, concentrated lye, or other caustic alkali," and as amended respectfully recommend that the Bill be concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred Substitute for House Bill No. 10, being a Bill for an Act entitled "An Act to amend Sections 443 and 449 of the Political Code of Montana, and to provide further regulations for the safe keeping and management of Public Funds in the Hands of the State Treasurer, and to increase his official bond and to provide for the payment of the premium thereon, beg leave to report and recommend that the Bill be amended as follows:

Strike out the words "April 1st, 1907" on last line of the Bill, and insert in lieu of same the words "January 1st, 1908," and as amended that the Bill be concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Public Buildings to whom was referred House Bill No. 351, being a Bill for an Act entitled "An Act requiring the head physician of the State Insane Asylum to make monthly reports to the District Judges, showing the condition of the inmates of said asylum."

Also, House Bill No. 101, being a Bill for an Act entitled "An Act to establish a Geological Survey of Montana, beg leave to report and recommend that further consideration of these Bills be indefinitely postponed.

ANNIN, Chairman.

Donlan moved the adoption of the report.

Rae demanded that the report be segregated.

The vote recurring first upon the motion of Donlan, that the report of Committee as to House Bill No. 351 be adopted.

Motion carried, and report on said Bill adopted.

Rae moved as an amendment that report of Committee be not adopted as to House Bill No. 101, and that same be referred to Steering Committee.

Amended motion lost.

Whereupon the vote recurring upon the original motion as to House Bill No. 101 same was carried and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 18, being a Bill for an Act entitled "An Act to amend Section 770 of the Penal Code of the State of Montana, relating to the safe keeping and disposition of public moneys".

Also, House Bill No. 397, being a Bill for an Act entitled "An Act to amend Chapter XII of Title X of Part III of the Political Code by adding thereto a Section to be known as Section No. 4027."

Also, House Bill No. 279, being a Bill for an Act entitled "An Act providing for a commission for the promotion of uniformity of Legislation in the United States, and for the payment of the necessary expenses of the members of such commision," beg leave to report and recommend that said Bills be not concurred in.

WHITE, Chairman.

Long demanded a segregation of the report.

Long moved that the report of Committee on Judiciary as to House Bills Nos. 397 and 279 be adopted.

Motion carried and House Bills Nos. 397 and 279 not concurred in.

Long moved that the report of Committee as to House Bill No. 18 be not adopted and Bill be referred to Steering Committee.

Long demanded a roll call.

On roll call motion carried by the following vote:

Ayes: Annin, Bielenberg, Cowgill, Donlan, Fairbanks, Haviland, Long, Martien, Metcalf, Muffly, McCone, McLean, Rae, Romney, Tooley, Truscott.—16.

Noes: Albright, Cardwell, Everett, Glidden, Harper, Miles, McCone, McDonnell, White.—9.

Absent and not voting: Edwards, Sanders.—2.

House Bill No. 18 referred to Steering Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 156, being a Bill for an Act entitled "An Act to amend Section I of an Act entitled 'An Act to provide the conditions upon which foreign corporations may do business in this State and to repeal Sections 1030 to 1038 inclusive of the Civil Code of Montana,' approved March 9, 1901, and to add subdivision 7 to Section I, providing for the filing of alterations and amendments to the charter or articles of incorporation of foreign corporations, and for the filing of certificates of increase of capital stock or continuance of corporate existence, and for the payment of fees therefor."

Beg leave to report and respectfully recommend that the Bill be amended as follows:

Strike out the words "shall have ninety days from and after the passage and approval of this Act in which to comply herewith", and insert in lieu thereof the words "must within ninety days from and after the passage and approval of this Act, comply herewith".

Also, strike out House amendment to Section I, and as amended recommend that the Bill be concurred in.

On motion of White report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Enrolled Bills reports that Senate Bills numbered 50, 60, 46, 62, 69, 78, 81, 84, 68 and 101, have been duly signed by the Speaker of the House and are now in the hands of His Excellency the Governor.

Respectfully submitted,

RAE, Chairman.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 89, being a Bill for an Act entitled "An Act to amend Chapter VI, Title XIII, of the Penal Code of the State of Montana, relating to extortion, by adding thereto, a section to be designated Section 924, so as to prevent the denial of indebtedness for labor, or wilful refusal to pay such indebtedness, with intent to secure a discount from the laborer."

Beg leave to report and recommend that the bill be amended as follows: Strike out the words "or quits the employment, or the employment otherwise comes to an end" at end of Section 1, and as amended recommend that the bill be concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

A majority of your Committee on Conference appointed to meet with a Committee from the House on the disagreement between the Senate and the House in regard to the Senate amendment to House Bill No. 35, beg leave to report that they met in conference and a majority of the said Committee on Conference recommend that the Senate recede from their amendment.

Very respectfully,
WHITE, Chairman of Senate Committee.
MARSHALL, Chairman of House Committee.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

A minority of your Committee on Conference, appointed to meet with a Committee from the House on the disagreement between the Senate and House in regard to Senate amendment to House Bill No. 35, beg leave to report that they met in conference and the minority of said Joint Committee

on Conference recommend that the Senate insist upon its amendment.

EVERETT.
WHITE.

Further consideration of report of Conference Committee postponed until called up by the Chair.

On motion of Donlan Senate resolved itself into Committee of the Whole, to consider bills on the General File, with

Romney in the chair.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend, that

H. J. R. No. 8 be concurred in.

H. B. No. 156 be withdrawn from General File, and re-referred to Committee on Counties, Towns and Municipal Corporations.

That further consideration of H. B. No. 157 be indefinitely postponed.

That H. B. No. 250 be concurred in as amended.

That Sub. for H. B. No. 281 be indefinitely postponed.

That H. B. No. 333 be concurred in.

That H. B. No. 386 be indefinitely postponed.

That Sub. for H. B. No. 390 be concurred in.

That H. B. No. 379 be concurred in.

ROMNEY, Chairman.

On motion of Donlan report adopted.

H. J. R. No. 8, H. B. No. 250 H. B. No. 333, H. B. No. 379 and Sub. for H. B. No. 390 referred to Calendar for Third reading.

H. B. No. 156 withdrawn from General File and re-referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 157, 386 and Sub. for H. B. No. 281 indefinitely postponed.

Committee on Engrossed Bills reported as follows:

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Sub. for S. B. Nos. 115 and 108, and Sub. for Senate Bill No. 111, beg leave to report as follows:

That the same have been properly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for Third Reading.

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Engrossed Bills report S. B. No. 123 as correctly engrossed.

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for Third Reading.

Senate resumed further consideration of the report of Conference Committee on House Bill No. 35.

On motion of White the Minority report of the Committee was adopted and Senate insisted upon its amendments.

On motion of Miles said Conference Committee was discharged.

The Conference Committee on House Bill No. 231 reported os follows:

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Joint Conference Committee of the Senate and House, to whom was referred House Bill No. 231, beg leave to report that they have had the said Bill under consideration and recommend that the Senate be requested to recede from their amendment, thus leaving the bill as originally printed.

HAVILAND, Chairman.

Miles moved that the report of Conference Committee be adopted; that Senate recede from its amendment and Committee be discharged.

Motion carried, and Senate receded from its amendments on H. B. No. 231 by the following vote:

Ayes: Albright, Bielenberg, Cardwell, Cowgill, Donlan, Glidden, Harper, Haviland, Long, Martien, Miles, Muffly, McCarthy, McDonnell, Rae, White.—16.

Noes: Annin, Edwards, Everett, Fairbanks, Metcalf, McCone, Tooley, Truscott, McLean.—9.

Absent and not voting: Romney, Sanders.—2.

Committee on Engrossed Bills reported as follows:

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred S. B. No. 59, beg leave to report as follows:

That the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for Third Reading.

Senate resumed Third Reading of Bills under suspension of the rules.

H. J. R. No. 8 concurred in by the following vote:

Ayes: Albright, Bielenberg, Cardwell, Donlan, Edwards, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, Rae, Romney, Tooley, White.—19.

Noes: None.

Absent and not voting: Annin, Cowgill, Everett, Haviland, Muffly, McLean, Sanders, Truscott.—8.

Title agreed to.

H. No. 250 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott, White.—25.

Noes: None.

Absent and not voting: Muffly, Sanders.—2.

Title agreed to.

H. B. No. 333 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley Truscott, White. —24.

Noes: None.

Absent and not voting: Martien,Muffly, Sanders.—3.

Title agreed to.

H. B. No. 379 concurred in by the following vote:

Ayes: Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Long, Miles, McDonnell, McLean, Rae, Romney, Tooley, White.—14.

Noes: Albright, Annin, Bielenberg, Edwards, Harper, Haviland, Martien, Metcalf, McCarthy, McCone, Truscott.—11.

Absent and not voting: Muffly, Sanders.—2.

Title agreed to.

Sub. for H. B. No. 390 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Romney, Tooley, Truscott, White, Rae.—25.

Noes: None.

Absent and not voting: Muffly, Sanders.—2.

Title agreed to.

S. B. No. 123 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Long, Martien, Metcalf, Miles, McCarthy, McCone, Rae, Romney, Tooley, Truscott, White, McDonnell, McLean.—22.

Noes: None.

Absent and not voting: Donlan, Harper, Haviland, Muffly, Sanders.—5.

Title agreed to.

Sub. for S. B. No. 111 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott, White.—24.

Noes: None.

Absent and not voting: Haviland, Muffly, Sanders.—3.

Title agreed to.

Sub. for Senate Bills Nos. 115 and 108 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott.

Noes: White.—1.

Absent and not voting: Haviland, Muffly, Sanders.—3.

Title agreed to.

S. B. No. 59 passed by the following vote:

Ayes: Albright, Bielenberg, Cardwell, Donlan, Glidden, Harper, Long,

Martien, Metcalf, Miles, Muffly, McCarthy, McDonnell, Rae, Romney, Truscott.—16.

Noes: Cowgill, Edwards, Everett, Fairbanks, McCone, McLean, Tooley, White.—8.

Absent and not voting: Annin, Haviland, Sanders.—3.

Title agreed to.

Referring back to Second Order of Business, Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred H. B. No. 305, being a Bill for an Act entitled "An Act to provide for an additional Judge for the Fourth Judicial District, so that there will hereafter be two Judges in said District, one of whom shall keep his Chambers at the town of Hamilton, Ravalli County", beg leave to report and recommend that said Bill be concured in.

WHITE, Chairman.

Report adopted and Bill referred to Steering Committee.

The following communications from the House were received and read:

House of Representatives, Helena, Montana, March 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Appropriations Committee to whom S. B. No. 124 was referred, recommends that the bill be not concurred in, report adopted and bill is herewith returned, also S. B. No. 125 referred to Committee on Livestock and Public Ranges, recommend that it be not concurred in; also Ways and Means Committee recommend that S. B. No. 64 be indefinitely postponed; also Ways and Means Committee recommend that Sub. for S. B. No. 58 be indefinitely postponed, and the bills are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Mr. Speaker has appointed Representatives Cummings, Cato and Decker as a Committee to confer with a like Committee from the Senate in Joint Resolution No. 3.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following bills were this day introduced by unanimous consent, read first and second times:

By Campbell: H. B. No. 421. A Bill to amend Chapter CXX, Laws of 1903, relating to the Office of Meat and Milk Inspector and prescribing their powers and duties and compensation.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Mr. Speaker has appointed Representatives Blake, McManus and Blewett as a Conference Committee on H. B. No. 231.

Respectfully,

C. B. GIBBS, Chief Clerk.

After giving notice President signed Sub. for H. B. No. 258, House Bills Nos. 302, 261, 313, 253, 270, 160, 183, 293 and 182.

Donlan moved that the vote by which House Bill No. 157 was indefinitely postponed be reconsidered.

White moved that the motion to reconsider be laid on the table.

Motion to lay on the table carried.

Adjourned until 10:30 A. M. to-morrow.

C. E. WIGHT, Secretary.

Approved: EDWIN L. NORRIS, President of the Senate.

FIFTY-NINTH DAY

Helena, Montana, March 6th, 1907.

Senate convened at 10:30 A. M.

President in the chair.

Roll called, quorum present.

Prayer by the Chaplain.

A petition from the different merchants of the State urging the enactment of a bulk sales law, was received, read and placed on file.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Steering begs leave to report the following Bills for General File: Senate Bill No. 47, S. B. No. 132, S. B. No. 133, S. B. No. 134, Sub. for House Bill No. 10, House Bills Nos. 166, 291, 305, 376.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bills Nos. 61 and 85, beg leave to report as follows:

That the same have been correctly enrolled.

Respectfully submitted,

RAE, Chairman.

After giving notice President signed Senate Bills Nos. 61 and 85, House Bills Nos. 282, 85, 314, 488, 185, 365, 387, 301 and 200.

Senate resumed reading of reports of Standing Committees.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Printing, begs leave to report Senate Bill No. 135 correctly printed.

SANDERS, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 6th, 1907

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 128 beg leave to report as follows:

That the same has been properly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for Third Reading.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 130 beg leave to report as follows:

That the same has been properly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for Third Reading.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Corporations other than Municipal, having had House Bill No. 367 under consideration, which is a bill for "An Act entitled "An Act to amend Section 448 of the Civil Code of the State of Montana as amended by an Act entitled "An Act to amend Section 448 of the Civil Code of the State of Montana, relating to the meetings of stockholders and Board of Directors of Corporations, approved February 24, 1899, relating to the meeting of stockholders and Board of Directors of corporations," respectfully report that the same be concurred in.

Respectfully submitted,

MILES, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Mines and Mining to whom was referred House Bill No. 179, being a Bill for an Act entitled "An Act prescribing regulations for opening, operating, platting, general conduct and management of coal mines, and coal mining, prescribing penalties and repealing Article I, Chapter XX, Part III, Title VII, (Sections 3350 to 3365 inclusive) of the Political Code of Montana, relating to the regulations of coal mines" beg leave to report and recommend that further consideration of said bill be indefinitely postponed.

Respectfully,

HARPER, Chairman.

On motion of White report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred House Bill No. 156 beg leave to report as follows: We have had the same under consideration, and recommend that same be indefinitely postponed.

Respectfully submitted,

DONLAN, Chairman.

On motion of Albright report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Counties and Towns, to whom was referred House No. 195, beg leave to report as follows: We have had the same under consideration and recommend that the same be concurred in.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Railroads and Transportation to whom was referred Substitute for House Bill No. 289, being a Bill for an Act entitled "An Act authorizing the State Board of Stock Commissioners to collect for live stock killed by the operation of railroads within this State where the owner has not asserted or presented claims therefor to the Railroad Company" begs leave to report that they have had said Bill under consideration, and recommend that it be concurred in.

EVERETT, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Railroads and Transportation to whom was referred House Bill No. 328, being a Bill for an Act entitled "An Act relating to the valuation of the property of railroads, for all purposes of rate regulation, by the Board of Railroad Commissioners, or the Court, and providing rules of evidence relating to the same, beg leave to report that they have had said Bill under consideration and recommend that it be concurred in.

EVERETT, Chairman.

Report adopted and Bill referred to Steering Committee.

Conference Committee recommended that the Senate Concur in the House amendment on Senate Joint Resolution No. 3.

Report adopted and the Senate concurred in the House amendment to said Resolution by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Muffly, McDonnell, McLean, Rae, Romney, Sanders, Tooley, White.—21.

Noes: None.

Absent and not voting: Donlan, Everett, McCarthy, McCone, Truscott, Miles.—6.

The Secretary was instructed to notify the House of the action of the Senate.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, March 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Mr. Victor Kessler, Miss Edna Tilton, Miss Minnie Watson, and Mrs. A. B. Clements, have been appointed Clerks to the Enrolling Committee.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 5th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bill was this day introduced, by unanimous consent, read first and second times:

By Committee on Appropriations: H. B. No. 422. An Act to appropriate moneys for the payment of the per diem of the officers and attaches of the Tenth Legislative Assembly of the State of Montana.

Respectfully,

C. B. GIBBS, Chief Clerk.

Rae moved that the Committee on Enrolled Bills be authorized to employ Miss Agnes Cooney and Miss Mae Curtis as Clerks on said Committee, and that the Secretary of the Senate be instructed to require all Committee Clerks, not otherwise engaged from this time until the end of the Session to assist in the enrolling of Bills.

Motion carried.

Haviland moved that the vote by which the report of the Committee of the Whole on House Bill No. 281 was adopted be reconsidered.

Annin moved to lay the motion to reconsider on the table.

The motion to lay on the table was lost.

Whereupon the vote recurring upon the original motion same was lost.

Referring back to Fifth Order of Business the following communication from the House was received and read:

House of Representatives, Helena Montana, March 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos 409, 413 have been read a third time and passed by the House as amended, and is herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

Following Bills were read a first and second time:

H. B. No. 413: By Committee on Appropriations. A Bill for an Act entitled "An Act making appropriations for the State Institutions of Montana for the period ending February 28th, 1908, and February 28, 1909.

Referred to Committee on Finance and Claims.

By unanimous consent rules were suspended and the following Bill read a first and second time by title only:

H. B. No. 409: By Committee on Appropriations. A Bill for an Act entitled "An Act making appropriations for the Executive and Judicial Departments of the State Government for two years namely, from February 28, 1907 to February 28, 1908, and from February 28, 1908 to February 28, 1909.

Referred to Committee on Finance and Claims.

On motion of Donlan Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

Truscott in the chair.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

S. B. No. 132 be indefinitely postponed.

That S. B. No. 47 do pass as amended.

That S. B. No. 133 do pass.

That S. B. No. 134 do pass.

That Sub. for House Bill No. 10 be concurred in as amended.

That H. B. No. 166 be concurred in.

That H. B. No. 291 be concurred in.

That H. B. No. 305 be concurred in.

That H. B. No. 376 be concurred in.

TRUSCOTT, Chairman.

On motion of Donlan report adopted and Senate Bill No. 132 indefinitely postponed. Senate Bills Nos. 47, 133 and 134 referred to Committee on Engrossed Bills.

Substitute for House Bill No. 10, House Bills Nos 166, 291, 305 and 376 referred to Calendar for Third Reading.

Referring back to the Fifth Order of Business the following communications from the House were received and read:

House of Representatives, Helena Montana, March 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 355 has been read a third time and passed by the House, as amended, and is herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena Montana, March 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate

Bills Nos. 109 and 51 have been read a third time and concurred in by the House and are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

Senate Bills Nos 51 and 109 referred to Committee on Enrolled Bills.

House of Representatives, Helena Montana, March 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bills Nos. 112, have been read a third time, and as amended, concurred in, and are herewith returned for concurrence in House amendments.

Respectfully,

C. B. GIBBS, Chief Clerk.

House amendments to Senate Bill No. 112 were on motion of McLean concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes: None.

Absent and not voting: Edwards.—1.

Senate Bill No. 112 referred to Committee on Enrolled Bills.

Senate resumed reading communications from the House.

House of Representatives, Helena Montana, March 6th, 1907.

Mr. President:

I am directed by the House to request the return of Senate Bills Nos. 124 and 125 for the further consideration of the House.

Respectfully,

C. B. GIBBS, Chief Clerk.

On motion of Rae, Secretary was instructed to return Senate Bills Nos. 124 and 125 to the House as per request.

Senate resumed first and second reading of House Bills under suspension of the rules.

H. B. No. 355: By Shaw. A Bill for an Act entitled "An Act requiring County Treasurers to prepare and file with County Clerk a report of all license tax uncollected, the Auditor to verify such report and the County Clerk to publish the same.

Referred to Committee on Finance and Claims.

Referring back to Second Order of Business, Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Printing beg leave to report Senate Bill No. 136 correctly printed.

SANDERS, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Labor and Capital to whom was referred House

Bill No. 401, being a Bill for an Act entitled "An Act to prescribe the hours of labor for prison guards employed at the State Prison and providing penalties for the violation thereof", respectfully report back and recommend that the same be concurred in.

McCARTHY, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 131 beg leave to report as follows:

That the same has been properly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for Third Reading.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 296, being a Bill for an Act entitled "An Act to amend Sections 494, 495, 496, 497, 498 and 499 of the Political Code of Montana, as amended by Chapter C, Acts of 1903, relating to the State Examiner's Office and Fund, beg leave to report and recommend that said Bill be amended as follows:

In Section 496 after the words "One First Assistant at a salary of" strike out the words "Eighteen Hundred" and insert in lieu thereof the words "Two Thousand One Hundred" and that as amended the said Bill be concurred in.

McCONE, Chairman.

On motion of McCone report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 411, being a Bill for an Act entitled "An Act appropriating money for the erection and completion of a Women's Building, Hospital Building and an additional wall at the State Prison at Deer Lodge, Montana," beg leave to report as follows:

That they have had said Bill under consideration and recommend that the same be concurred in.

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 170, being a Bill for an Act entitled "An Act to authorize and direct the Executive Board of the Montana Agricultural College to establish a sub-station for the purpose of carrying on experiments in Horticulture and to appropriate money therefor," beg leave to report as follows:

That they have had said Bill under consideration and recommend that it be returned without recommendation.

McCONE, Chairman.

Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 297, being a Bill for an Act entitled "An Act to amend Section IV of Chapter XXII of the Laws of 1905 and for adding to said Act a Section to be numbered Section 6a, relative to public weighers and public scales, and providing for purchase of standards of weights and measures, and appropriating money therefor" beg leave to report as follows:

That they have had said Bill under consideration and recommend that the Bill be not concurred in.

McCONE, Chairman.

On motion of White report adopted and Bill not concurred in.

Senate Chamber, Helena, Montana, March 6th 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 350, being a Bill for an Act entitled "An Act to appropriate the sum of Three Hundred and Seventy-five Dollars ($375.00) to pay Dr. Geo. H. Putney for services for Meat and Milk Inspector for Missoula County, for the months of December, 1904, and January and February, 1905", beg leave to report as follows:

That they have had said Bill under consideration and recommend that it be concurred in.

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 336, being a Bill for an Act entitled "An Act appropriating money for the payment of the claim of Powell County against the State of Montana, account of money expended in prosecuting an inmate of the State Prison" beg leave to report that they have had said Bill under consideration and recommend that it be not concurred in.

McCONE, Chairman.

On motion of White report adopted and Bill not concurred in.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 353, being a Bill for an Act entitled "An Act to amend Section 446, Part III, Title I of Article VII, of the Political Code of Montana, relating to the salary of State Treasurer" beg leave to report:

That they have had said Bill under consideration and recommend that it be not concurred in.

McCONE, Chairman.

On motion of Martien report adopted and Bill not concurred in.

Senate Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 316, being a Bill for an Act entitled "An Act requiring corporations doing business in the State of Montana to pay an annual license fee" beg leave to report that they have had said Bill under consideration and recommend that it be not concurred in.

McCONE, Chairman.

On motion of White report adopted and Bill not concurred in.

Senate, Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 405, being a Bill for an Act entitled "An Act to establish a Sub-Experimental Station for Fergus County, Montana, and providing for the acquisition or acceptance of title to the land for the same and the direction thereof, and appropriating money therefor" beg leave to report that they have had said Bill under consideration and recommend that it be not concurred in.

McCONE, Chairman.

White moved the adoption of the report.

Rae moved as an amendment that the report of the Committee be not adopted, and Bill be referred to Steering Committee.

Amended motion lost.

Whereupon the vote recurring upon the original motion, same was carried.

Recessed until 2:30 P. M.

Senate re-convened at 2:30 P. M.

President in the chair.

Roll called, quorum present.

By unanimous consent rules were suspended and the following Bills considered read a third time at length, read by title only:

S. B. No. 128 passed by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden Harper, Haviland, Long, Martien, Metcalf, Muffly, McCarthy, McCone, McLean, Romney, Sanders, Tooley, White, McDonnell.—22.

Noes: None.

Absent and not voting: Albright, Cowgill, Miles, Rae, Truscott.—5.

Title agreed to.

S. B. No. 130 passed by the following vote:

Ayes: Annin, Bielenberg, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Muffly, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—21.

Noes: None.

Absent and not voting: Albright, Cardwell, Donlan, Miles, McCarthy, Rae.—6.

Title agreed to.

Sub. for House Bill No. 10 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards,

Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes: Glidden.—1.

Absent and not voting: None.

Title agreed to.

H. B. No. 166 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes: None.

Absent and not voting: McDonnell.—1.

Title agreed to.

H. B. No. 291 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—27.

Noes: None.

Absent and not voting: None.

Title agreed to.

After giving notice President signed House Bills Nos. 333, 352, Substitute for House Bill No. 390, 379, 317, 162, 325, 228, 231, 315, 393, H. J. R. No. 8, and H. J. M. No. 7.

Senate resumed Third Reading of House Bills under suspension of the rules made heretofore.

H. B. No. 305 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Truscott, White.—23.

Noes: None.

Absent and not voting: Albright, Harper, McDonnell, Tooley.—4.

Title agreed to.

H. B. No. 376 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Truscott, White.—24.

Noes: None.

Absent and not voting: Donlan, Tooley, McDonnell.—3.

Title agreed to.

S. B. No. 131, passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McLean, Rae, Romney, Sanders, White.—21.

Noes: None.

Absent and not voting: Donlan, Edwards, McCone, McDonnell, Tooley, Truscott.—6.

Title agreed to.

Referring back to Ninth Order of Business.

Rac moved that Senate Bill No. 47 be withdrawn from the Committee on Engrossed Bills and re-referred to General File.

Motion carried.

Long moved to reconsider the vote by which Senate refused to reconsider the vote on House Bill No. 281.

Everett made the point of order that a vote to reconsider a vote to reconsider cannot be made.

Point of order sustained, under the provisions of Section 204 of Reed's Parliamentary Rules, and held that the motion to reconsider a motion to reconsider would be in order only if unanimous consent was given.

Long asked unanimous consent that the vote to reconsider be reconsidered.

Annin objected.

Referring back to Second Order of Business Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 5th, 1907.

Mr. President:

Your Committee on Steering beg leave to report the following Bills for General File: Senate Bills Nos. 135, 136, 47, House Bills Nos. 89, 151, 195, 268, 296, 367, 369.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bills referred to General File.

Senate, Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 364, being a Bill for an Act entitled "An Act to pay employees of the Senate and House, as provided in Section 209, Part III, Title I, Chapter II, Article IV and as provided for in Section 223, Part III, Title I, Chapter II, Article V of the Political Code of the State of Montana", beg leave to report that they have had said Bill under consideration, and recommend that it be concurred in.

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate, Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Elections and Privileges to whom was referred House Bill No. 337, being a Bill for an Act entitled "An Act to amend Section 4756 of the Political Code relating to officers of elections, places of voting and election districts, and election matters in Municipal Corporations", having had said Bill under consideration respectfully report back and recommend that the same be concurred in.

FAIRBANKS, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate, Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bills Nos. 51, 109 and 112 beg leave to report as follows:

That the same have been correctly enrolled.

Respectfully submitted,

RAE, Chairman.

After giving notice President signed Senate Bills Nos. 51, 109, 112.

Following communications from the House were received and read:

House of Representatives, Helena Montana, March 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bill No. 100 was not concurred in by the House and the Bill is herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena Montana, March 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bill was this day introduced by unanimous consent, read first and second times:

By Corby: H. B. No. 423. A Bill for an Act appropriating money for the payment of Miss Gertrude Pritchett for services.

C. B. GIBBS, Chief Clerk.

On motion of Donlan Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

Harper in the chair.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate, Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that

S. B. No. 135 do pass;

That H. B. No. 89 be concurred in as amended;

That H. B. No. 151 be concurred in as amended;

That H. B. No. 195 be withdrawn from General File and re-referred to Steering Committee;

That H. B. No. 268 be concurred in;

That H. B. No. 296 be concurred in;

That H. B. No. 367 be concurred in;

That H. B. No. 369 be concurred in;

That S. B. No. 47 do pass as amended.

HARPER, Chairman.

Harper moved the adoption of the report.

Everett demanded a segregation of the report, excepting House Bill No. 151 therefrom.

Segregation ordered.

The report with the exception of House Bill No. 151 was adopted.

Everett moved as an amendment that the report of the Committee of the Whole as to House Bill No. 151 be amended by striking out all of Sections 2 and 10 and all of the amendments made in the Committee of the Whole excepting those made to Section 1, and that as so amended the report of the Committee of the Whole be adopted.

Glidden moved as an amendment to the amendment that the report of the Committee of the Whole as to House Bill No. 151 be not adopted and that further consideration of the Bill be indefinitely postponed.

Edwards moved that the amendment of Everett, and that the amendment to the amendment of Glidden be laid on the table.

Motion to lay on the table carried.

Whereupon the vote recurring upon the original motion, same was on roll call carried by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Long, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Nees: Glidden, Muffly.—2.

Absent and not voting: Haviland, Martien.—2.

Senate Bills Nos. 135, 136 and 47 referred to Committee on Engrossed Bills, House Bills Nos. 89, 151, 268, 296, 367 and 369 referred to Calendar for Third Reading.

House Bill No. 195 withdrawn from the General File, and re-referred to Steering Committee.

Committee on Engrossed Bills reported as follows:

Senate, Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 133 and Senate Bill No. 134 beg leave to report as follows

That the same has been properly engrossed.

Respectfully submitted.

ALBRIGHT, Chairman.

Report adopted and Bills referred to Calendar for Third Reading.

Following communication from His Excellency the Governor was received and read:

Executive Office, Helena, Montana, March 6th, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana.

The following Senate Bills have been approved and deposited with the Secretary of State:

No. 78. An Act to provide for the tallying of cattle shipped from the State and to facilitate the inspection of the same at the market points.

No. 81. An Act providing for the parole of prisoners confined in the State Prison, and authorizing the State Board of Prison Commissioners to grant paroles to such prisoners subject to certain conditions and regulations to be provided for by the said State Board.

No. 69. An Act entitled an Act relating to bounties on stock destroying animals and to prevent fraud in the payment of the same.

No. 46. An Act prescribing the manner in which directors trustees and other officers of a corporation may resign.

No. 60. An Act concerning dependent and neglected children, and concerning the parents, guardians or ther persons responsible for the custody, care, maintenance and support of such children, and their punishment for the neglect of such children.

No. 62. An Act entitled "An Act regulating and prescribing the manner of measuring hay in stack, to determine tonnage".

No. 84. An Act entitled "An Act regulating public livestock markets, and providing for the inspection of all livestock sold at such market at auction or otherwise".

Sub. for No. 68. An Act relating to internal improvements in Cities and Towns and authorizing the issuance of Special Improvement District Warrants or Bonds in payment therefor and providing for the levy and collecting of assessments to pay such bonds, and repealing Chapter 73 of the Acts of the Legislative Assembly of Montana, 1905.

No. 50. An Act to amend Sections 1, 17 and 25 and to repeal Sections 10, 11, 12, 13, 14, 21, 22 and 27 of Senate Bill No. 64, "An Act to provide for the organization, regulation and inspection of Building and Loan Associations, and to repeal Sections 770 to 790, inclusive, and 800 to 845, inclusive, of the Civil Code of Montana", approved March 4, 1897.

No. 101. An Act to amend Section 864 of the Civil Code of Montana relating to Corporations.

J. K. TOOLE, Governor.

Following communication from the House was received and read:

House of Representatives, Helena Montana, March 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 412, 399, 348, 402, 404, Sub. for 414, and H. J. R. No. 3, also House Bills Nos. 264, 344, 391 and 416 as amended by the House, also Senate Bills Nos. 105 and 122 read a third time and concurred in by the House, also Senate Bills Nos. 110 and 129 concurred in as amended by the House and herewith transmitted to your Honorable Body for its concurrence to House amendments.

Respectfully,

C. B. GIBBS, Chief Clerk.

Senate Bills Nos. 105 and 122 referred to Committee on Enrolled Bills.

House amendments to S. B. No. 129 were on motion of Rae concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Glidden, Harper, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—22.

Noes: None.

Absent and not voting: Cardwell, Fairbanks, Haviland, Long, Romney. —5.

S. B. No. 129 referred to Committee on Enrolled Bills.

House amendments to S. B. No. 110 were on motion of Martien concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, McCarthy, McCone,

McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes: None.

Absent and not voting: Cardwell, Haviland, Muffly.—3.

S. B. No. 110 referred to Committee on Enrolled Bills.

By unanimous consent rules were suspended and the following bill read a first and second times by title only:

H. B. No. 264: By Wilder. A Bill for an Act entitled, "An Act to amend Section 3780 of the Political Code, relating to County Boards of Equalization, and provide for their place of meeting".

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 344: By Cameron. A Bill for an Act entitled, "An Act to amend Sections 3941 and 3946 of Part III, Title X, Chapter IX, of the Political Code of the State of Montana, relating to the collection and cancellation of taxes on certain personal property, to provide for the appointment of the Sheriff or Assessor or other person as a Special Deputy Treasurer to collect such taxes and capitation taxes, and to provide compensation for such deputy."

Referred to Committee on Judiciary.

H. B. No. 391: By Morgan. A Bill for an Act entitled, "An Act providing for temporary floors and safe scaffoldings in buildings during the erection thereof, for the protection of the persons working thereon."

Referred to Committee on Agriculture and Manufactures.

H. B. No. 416: By Cameron. A Bill for an Act entitled "An Act providing for the creation of herding districts for livestock and prohibiting livestock from running at large therein, and prescribing penalties."

Referred to Committee on Stockgrowing and Grazing.

H. B. No. 412: By Tudor. A Bill for an Act entitled, "An Act appropriating money to defray the expenses of a Joint Committee appointed to investigate the State Prison at Deer Lodge."

Referred to Committee on Finance and Claims.

H. B. No. 399: By Morris. A Bill for an Act entitled, "An Act to provide for the sale of all lands acquired by the State of Montana, under and by virtue of the provisions of Chapter 118, Session Laws of 1903."

Referred to Committee on Public Lands.

H. B. No. 348: By Scallon. A Bill for an Act entitled, "An Act relating to the liability of employers to employees in underground mines, smelting works, concentrators, coal washers, factories and mills."

Referred to Committee on Judiciary.

H. B. No. 402: By Goff. A Bill for an Act entitled, "An Act appropriating money for the repairing of the roof of the State Arsenal at Helena, Montana."

Referred to Committee on Finance and Claims.

H. B. No. 404: By Manchester. A Bill for an Act entitled, "An Act to provide that the National Flag be unfurled, displayed and kept floating upon the grounds of the State Capitol Building, and to authorize and direct the Secretary of State to have erected a suitable flag-staff and provide suitable flags therefor, and to provide for the payment of the necessary expenses incident thereto."

Referred to Committee on Military Affairs.

Sub. for H. B. No. 414: By Bennett, and recommended by Committee on Ways and Means. A Bill for an Act entitled, "An Act relating to banks and banking corporations, and to trust deposit and security and savings bank corporations, and repealing Section 4061 of the Political Code of Montana, relating to licenses."

Referred to Committee on Judiciary.

House Concurrent Resolution No. 3: By Shaw. Application to Congress for election of United States Senators by the people.

Referred to Committee on Federal Relations.

On motion of Rae the Committee on Enrolled Bills was authorized to employ Miss Lela Bryant as assistant enrolling clerk.

By unanimous consent rules were suspended, and the following bills considered read a third time at length, read by title only.

H. B. No. 89 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Tooley, Truscott, White.—23.

Noes: None.

Absent and not voting: Haviland, Long, McDonnell, Sanders.—4.

Title agreed to.

H. B. No. 151 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill Donlan, Edwards, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott, White.—25.

Noes: None.

Absent and not voting: Everett Sanders.—2.

Title agreed to.

H. B. No. 268 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden Harper, Long, Martien, Metcalf, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott, White.—24.

Noes: None.

Absent and not voting: Haviland, Miles, Sanders.—3.

Title agreed to.

H. B. No. 296 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Tooley, Truscott, White.—24.

Noes: None.

Absent and not voting: Haviland, Miles, Sanders.—3.

Title agreed to.

H. B. No. 367 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Long, Martien, Metcalf, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White. —24.

Noes: Glidden.—1.

Absent and not voting: Haviland, Miles.—2.

Title agreed to.

H. B. No. 369 concurred in by the following vote:

Ayes: Annin, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—21.

Noes: Albright, Bielenberg, Cardwell.—3.

Absent and not voting: Edwards, Haviland, Miles.—3.

Title agreed to.

S. B. No. 133 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Muffly, McCarthy, McCone, McDonnell, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes: None.

Absent and not voting: Haviland, Miles.—2.

Title agreed to.

S. B. No. 134 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes: None.

Absent and not voting: Haviland.—1.

Title agreed to.

Adjourned until 10:30 A. M. to-morrow.

C. E. WIGHT, Secretary.

Approved: EDWIN L. NORRIS, President of the Senate.

SIXTIETH DAY

Helena, Montana, March 7th, 1907.

Senate convened at 10:30 A. M.

President in the chair.

Roll called, quorum present.

Prayer by the Chaplain.

A communication from the Librarian of the Montana State Library, asking for the return of all matters borrowed from the Historical and Miscellaneous Department by Thursday evening, March 7th, was received, read and placed on file.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Steering begs leave to report the following bills

for General File: House Bills Nos. 18, 170, 227, 256, 306, 310, 312, 350, 364, 409, 411 and 413.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred House Bill numbered 251 beg leave to report as follows:

We have had the ame under consideration and recommend that the same be indefinitely postponed.

Respectfully submitted,

DONLAN, Chairman.

On motion of Donlan report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Stockgrowing and Grazing to whom was referred House Bill No. 416, being a Bill for an Act entitled "An Act providing for the creation of herding districts for livestock and prohibiting livestock from running at large therein, and prescribing penalties," beg leave to report as follows:

That they have had said Bill under consideration and recommend that the same be indefinitely postponed.

BIELENBERG, Chairman.

On motion of Bielenberg report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred House Bill No. 264 beg leave to report as follows: We have had the same under consideration and recommend that the same be concurred in.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Public Lands, to whom was referred House Bill No. 399, being a Bill for an Act entitled "An Act to provide for the sale of all lands acquired by the State of Montana, under and virtue of the provisions of Chapter 118, Session Laws of 1903" beg leave to report: That they have had said Bill under consideration and recommend that it be concurred in.

McLEAN, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bills numbered 47 and 136 beg leave to report as follows:

That the same have been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bills referred to Calendar for Third Reading.

Senate, Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred House Bill No. 308, being a Bill for an Act entitled "An Act providing for the Initiative and Referendum in Cities and Towns."

Also, H. B. No. 344, being a Bill for an Act entitled "An Act to amend Section 3941 and 3946 of Part III, Title X, Chapter IX of the Political Code of the State of Montana, relating to the collection and cancellation of taxes on certain personal property; to provide for the appointment of the Sheriff or Assessor or other person as Special Deputy Treasurer, to collect such taxes and capitation taxes, and to provide compensation for such deputy."

Beg leave to report and recommend that said Bills be concurred in.

WHITE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate, Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 406, being a Bill for an Act entitled "An Act embodying and to make uniform the law of warehouse receipts."

Also House Bill 303, being a Bill for an Act entitled "An Act to amend Sections 4642 and 4643 of the Political Code of the State of Montana, relating to the fees allowed by the Board of County Commissioners to Justices of the Peace and Constables in criminal cases, and providing for a fee for the serving of summons."

Also House Bill No. 283, being a Bill for an Act entitled, "An Act to amend Sections 2350, 2351 and 2352 of the Code of Civil Procedure of the State of Montana, relating to the probate of foreign wills."

Beg leave to report and recommend that said Bills be not concurred in.

WHITE, Chairman.

On motion of White report adopted and Bills indefinitely postponed.

Senate, Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 347, being a Bill for an Act entitled, an Act to amend Section 4800 of the Political Code of the State of Montana, as amended by House Bill No. 203 of the Fifth Legislative Assembly of the State of Montana, approved March 8th, 1897, and to amend Section 4814 of the Political Code of the State of Montana, relating to the Legislative powers of Cities and Towns, beg leave to report and respectfully recommend that said Bill be amended as follows:

Strike out all of sub-division 85 of Section 1, and as amended recommend that the Bill be concurred in.

WHITE, Chairman.

On motion of Edwards report adopted and Bill referred to Steering Committee.

Senate, Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 292, being a Bill for an Act entitled "An Act regarding the assessment of property and the collection of taxes, and proceedings before County Boards of Equalization, the duties of Assessors in carrying out orders of the Board of Equalization, and providing for appeals to the District Court, and for the enforcement and carrying into effect of the orders or judgment of the Court, beg leave to recommend that said Bill be not concurred in.

WHITE, Chairman.

On motion of White report adopted and Bill not concurred in.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Military Affairs, to whom was referred House Bill No. 404, being a Bill for an Act entitled "An Act to provide that the National Flag be unfurled, displayed and kept floating upon the grounds of the State Capitol Building, and to authorize and direct the Secretary of State to have erected a suitable flagstaff and to provide suitable flags therefor, and to provide the payment of the necessary expenses incident thereto," having had said bill under consideration respectfully report back, and recommend that the same be concurred in.

MARTIEN, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Enrolled Bills begs leave to report that Senate Bills Nos. 51, 109, 112, 61 and 85 have been duly signed by the Speaker of the House and are now in the hands of His Excellency the Governor.

RAE, Chairman.

Senate, Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Irrigation and Water Rights to whom was referred House Bill No. 329, being a Bill for an Act entitled an Act to regulate the appropriation of water in streams in which the rights therein have been adjudicated," beg leave to report that they have had said Bill under consideration, and recommend that it be concurred in.

EVERETT, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Irrigation and Water Rights to whom was referred House Bill No. 269, being a Bill for an Act entitled "An Act to amend Section 10 of Article 2 of Chapter 106 of the Laws of 1905, and providing when the fee of lands necessary to be taken for drains shall vest," beg leave to report as follows: That they have had said bill under consideration and recommend that it be concurred in.

EVERETT, Chairman.

Report adopted and Bill referred to Steering Committee.

Following communications from the House were received and read:

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate amendments to House Bill No. 151 were not concurred in by the House and Mr. Speaker appointed a committee of three to confer with a like committee from the Senate and the Bill is herewith returned. Committee: Scallon, Campbell, Swindlehurst.

Respectfully,

C. B. GIBBS, Chief Clerk.

Donlan moved that the President appoint a Conference Committee of three to confer with a like Committee from the House concerning amendments to House Bill No. 151.

Motion carried.

President appointed Edwards, Long and Annin as such Committee.

Senate resumed reading House communications.

House of Representatives, Helena, Montana, March 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Blll No. 403 having been read a third time and passed by the House as amended, is herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 422 having been read a third time and passed by the House is herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 257 having been read a third time and passed by the House is herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 6th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Ways and Means Committee to whom Senate Bill No. 59 was referred, report back to the House with the recommendation that the Bill be not concurred in.

Report adopted and the Bill is herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 6th, 1907.

Mr. President:

I am directed by the House to request the return of Senate Bill No. 98 for further consideration.

Respectfully,

C. B. GIBBS, Chief Clerk.

On motion of Donlan, the Secretary was instructed to comply with the request of the House concerning Senate Bill No. 98.

By unanimous consent rules were suspended and the following Bills read first and second times by title only:

H. B. No. 257: By Allen. A Bill for an Act entitled "An Act for the submitting to the qualified electors of the State of Montana, an amendment to Article XII of the Constitution of the State of Montana, relating to the revenue and taxation, and providing for increase in the tax levy."

Referred to Committee on Finance and Claims.

After giving notice the President signed House Bills Nos. 250, 309, 305, 376, 247, 267.

Senate resumed first and second reading of House Bills under suspension of the rules made heretofore.

H. B. No. 422: By Committee on Appropriations. A Bill for an Act entitled an Act to appropriate moneys for the payment of per diem of the officers and attaches of the Tenth Legislative Assembly of the State of Montana.

Referred to Committee on Finance and Claims.

H. B. No. 403: By O'Connor. A Bill for an Act entitled "An Act to protect the traveling public from being compelled to eat adulterated food stuffs served in hotels, restaurants and boarding houses in the State of Montana, without having due notice thereof.

Donlan moved that further consideration of H. B. No. 403 be indefinitely postponed.

Motion carried.

Rae moved that H. B. No. 120 be withdrawn from the Steering Committee and referred to the General File.

Rae demanded a roll call.

Motion was on roll call lost on the following vote:

Ayes: Annin, Cardwell, Cowgill, Glidden, Martien, Metcalf, McCarthy, McCone, McLean, Rae, Sanders,—11.

Noes: Albright, Bielenberg, Donlan, Edwards, Fairbanks, Miles, Muffly, McDonnell, Tooley, Truscott, White.—11.

Absent and not voting: Harper, Haviland, Long, Romney, Everett.—5.

Rae moved that the vote by which the Senate adopted the report of Committee on Finance and Claims on House Bill No. 405 be reconsidered.

Motion carried.

Rae moved that the House be requested to return to the Senate House Bill No. 405 for further consideration.

Motion carried.

On motion of Donlan Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

Glidden in the chair.

On motion of Donlan Committee of the Whole asked leave to rise, report and sit again.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

H. B. No. 18 be concurred in as amended;

That H. B. No. 170 be concurred in;

That H. B. No. 306 be concurred in;

That Sub. for H. B. No. 310 be concurred in;

That H. B. No. 312 be concurred in as amended;

That H. B. No. 350 be concurred in;

That H. B. No. 364 be concurred in;

That H. B. No. 411 be concurred in;

That H. B. No. 277 be concurred in.

GLIDDEN, Chairman.

On motion of Albright report adopted and House Bills Nos. 18, 170, 277, 306, Sub. for 310, 312, 350, 364 and 311 be referred to Calendar for Third Reading.

Following communication from His Excellency the Governor was received and read:

Executive Office, Helena, Montana, March 7th, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana.

I herewith return Senate Bill No. 65, "An Act entitled 'An Act to provide for the apportionment of membership and representation of the several counties of Montna, in the House of Representatives of Legislative Assemblies of Montana, and to fix the number of members thereof," without my approval and with my objections thereto.

Section 2 of Article 6 of the Constitution is as follows:

Section 3. The Legislative Assembly shall provide by law for an enumeration of the inhabitants of the State in the year 1895 and every tenth year thereafter; and at the Session next following such enumeration, and also at the session next following an enumeration made by the authority of the United States, shall revise and adjust the apportionment for Representatives on the basis of such enumeration according to ratios to be fixed by law."

It has been contended that, since the Constitution has fixed a time once in ten years, when an enumeration of the inhabitants of the State shall be had and apportionment of representatives made by law based on such enumeration, there is thereby created a limitation upon the powers of the Legislature to make such an apportionment at any other time."

But whether this view of the law is right or wrong, no one at all familiar with the population of the several counties in this state will seriously urge that the apportionment made by this bill is anything like fair and just on the basis of the present population.

I deem it unnecessary to descend into specifications of inqualities in each particular instance, but the growth of the state has been so pronounced since the last census as to make the apportionment fixed by this Bill conspicuously unequal and unjust.

It is only three years until Federal Census will be taken. In my opinion it is far better to await that time than to make a guess as to our population resulting in such invidious distinctions.

It is admitted that the present Representation is far from right, but it has not been observed that those Counties whose Representation is smaller than it ought to be suffered in the quality of their Representatives of the character of legislation upon which their personality has been impressed.

It is my hope therefore, that the Subject of apportionment will be deferred until after the next Census, when all the necessary information for a just and correct apportionment will be available.

J. K. TOOLE, Governor.

The question was asked, "Shall S. B. No. 65 become a law notwithstanding the Governor's objections?

Roll was called and the veto of the Governor sustained by the following vote:

Ayes: Annin, Everett, Glidden, Long, McCarthy, Sanders, White.—7.

Noes: Albright, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Fairbanks, Harper, Martien, Metcalf, Miles, McDonnell, McLean, Rae, Romney, Tooley, Truscott.—17.

Absent and not voting: Haviland, McCone, Muffly.—3.

Referring back to Second Order of Business, Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred H. B. No. 194, being a bill for an Act entitled, "An Act appropriating money for the restoration and maintenance of Old Fort Benton, and providing for the appointment of a Board of Trustees for the mangement thereof", beg leave to report as follows:

That they have said bill under consideration, and recommend that the same be concurred in.

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Elections and Privileges, to whom was referred H. B. No. 88, being a Bill for an Act entitled "An Act providing for the registration of electors in counties, cities and towns, and for penalties for the violations thereof," having had said Bill under consideration respectfully report back and recommend that the same be indefinitely postponed.

FAIRBANKS, Chairman.

On motion of White report adopted and bill indefinitely postponed.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred H. B. No. 280, being a bill for an Act entitled, "An Act for preventing the manufacture and sale of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines and liquors and for regulating traffic therein, and providing for the administration and enforcement thereof, and for the creation of the office of State Chemist, prescribing and defining his duties and fixing the salary and expenses of said office and making an appropriation for the salary and expenses of the State Chemist," beg leave to report:

That they have had said bill under consideration and recommend that it be not concurred in.

McCONE, Chairman.

On motion of White report adopted and Bill not concurred in.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred H. B. No. 413, being a Bill for an Act entitled "An Act making appropriations for the State Institutions of Montana for the period ending February 28th, 1908, and February 28, 1909, having had the same under consideration respectfully recommend that the Bill be amended as follows:

Amend Section 1 of the printed bill by striking out all of lines numbered 9 and 11.

Amend Section 2 of the printed bill by striking out all of line numbered 34, and as amended the Bill be concurred in.

Respectfully,

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 402, being a bill for an Act entitled "An Act appropriating money for the repairing of the roof of the State Arsenal at Helena, Montana," beg leave to report as follows:

That they have had said bill under consideration and recommend that it be concurred in.

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred H. B. No. 412, being a bill for an Act entitled "An Act appropriating money to defray the expenses of Joint Committee appointed to investigate the State Prison at Deer Lodge, beg leave to report as follows:

That they have had the said Bill under consideration and recommend that the same be concurred in.

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred H. B. 355, being a bill for an Act entitled "An Act requiring County Treasurers to prepare and file with County Clerk a report of all license tax collected, the Auditor to verify such report, and the County Clerk to publish the same", beg leave to report as follows:

That they have had the said bill under consideration and recommend that the same be not concurred in.

McCONE, Chairman.

On motion of Martien report adopted and bill not concurred in.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Federal Relations, having had under consideration H. J. R. No. 3, recommend that the same be concurred in.

MUFFLY, Chairman.

Report adopted and Resolution referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Enrolled Bills, to whom was referred Senate Bills numbered 105, 110, 122 and 129 beg leave to report as follows:

That the same have been correctly enrolled.

RAE, Chairman.

After giving notice the President signed Senate Bills Nos. 129, 110, 122 and 105.

Following communication from the House was received and read:

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bills Nos. 66 and Sub. for 115 and 108 and Sub. for 113 have been read a third time and as amended concurred in and are herewith returned for Senate concurrence in House amendments.

Respectfully,

C. B. GIBBS, Chief Clerk.

House amendments to S. B. No. 66, were on motion of Long concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Fairbanks, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Truscott, White, Everett.—22.

Noes: None.

Absent and not voting: Albright, Glidden, Haviland, McCone, Tooley.—5.

S. B. No. 66 referred to Committee on Enrolled Bills.

Long moved that Senate not concur in House amendments to Sub. for Senate Bills Nos. 115 and 108.

Rae moved as an amendment that the House amendments to Sub. for Senate Bills Nos. 115 and 108 be concurred in.

Amended motion carried by the following vote:

Ayes: Annin, Bielenberg, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Miles, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott.—17.

Noes: Cardwell, Long, Martien, Metcalf, Muffly, McCarthy.—6.

Absent and not voting: Albright, Cowgill, Haviland, White.—4.

Sub. for Senate Bills Nos. 115 and 108 referred to Committee on Enrolled Bills.

House amendments to S. B. No. 113 were on motion of Long concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Metcalf, Muffly, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—21.

Noes: None.

Absent and not voting: Albright, Cowgill, Haviland, Martien, Miles, McCone.—6.

S. B. No. 113 referred to Committee on Enrolled Bills.

Senate resumed reading of House communications.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that S. B. No. 102 having not been concurred in by the House is herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that S. B. No. 124 have been read a third time and passed by the House and are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

S. B. No. 124 referred to Committee on Enrolled Bills.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honoable Body that the Conference Committee to whom S. J. R. No. 3 was referred recommend that House amendments be concurred in. Report adopted and bill is herewith returned to your Honorable Body.

Respectfully,

C. B. GIBBS, Chief Clerk.

S. J. R. No. 3 referred to Committee on Enrolled Bills.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that S. B. No. 125 having been not concurred in by the House is herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate

Bill No. 118 has been read a third time, and as amended, concurred in, and is herewith returned for Senate concurrence in House amendments.

Respectfully,

C. B. GIBBS, Chief Clerk.

House amendments to S. B. No. 118 were on motion of White concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden Harper, Haviland, Long, Martien, Metcalf, Mufly, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—23.

Noes: None.

Absent and not voting: Albright, Cowgill, Miles, McCone.—4.

S. B. No. 118 referred to Committee on Enrolled Bills.

Senate resumed reading of House communications.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 318, 319, 415 and 419 have been read a third time and passed by the House and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. Sub. for H. B. No. 371 and 418 have been read a third time and passed by the House as amended and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to return House Bill No. 405 for your further consideration, as per your request.

Respectfully,

C. B. GIBBS, Chief Clerk.

Rae moved that the report of Committee on Finance and Claims indefinitely postponing House Bill No. 405 be not adopted and same be referred to Steering Committee.

Motion carried and Bill referred to Steering Committee.

Senate resumed reading of House Bills under suspension of the rules made heretofore.

H. B. No. 318: By Judiciary Committee. A Bill for an Act entitled "An Act concerning bonds recognizance and written undertakings entered into or taken by an officer."

Referred to Committee on Judiciary.

H. B. No. 319: By Judiciary Committee. A Bill for an Act entitled "An Act concerning the jurisdiction of District Courts and to amend Section 39 of the Code of Civil Procedure of the State of Montana.

Referred to Committee on Judiciary.

H. B. No. 415: By Blake. A Bill for an Act entitled "An Act to amend Section 443 of the Political Code of Montana relating to bonds to be given to the State Treasurer."

Referred to Committee on Finance and Claims.

H. B. No. 419: By Shaw, by Request. A Bill for an Act entitled "An Act to add an additional Section to Article II, Chapter II, Title II, Part IV, of the Political Code of Montana, relating to County Printing to be designated as Section 4234, providing a penalty for violation of Section 4233 of the Political Code.

Referred to Committee on Counties, Towns and Municipal Corporations.

H. B. No. 418: By Committee on Ways and Means. A Bill for an Act entitled "An Act to repeal Sections 2990, 3016, 3046, 3076 of the Political Code, and all Acts amendatory of or supplementary to said Sections, and which provide for special taxes in cattle, horses, mules, asses and sheep.

Referred to Committee on Finance and Claims.

H. B. No. 371: By Griffin. A Bill for an Act entitled "An Act to amend Section 2 of Chapter 52 of the Laws of 1905, relating to the protection of birds, fish, fur-bearing animals and game."

Referred to Committee on Fish and Game.

Senate resumed in Committee of the Whole, with

Glidden in the chair.

On motion of Donlan. Committee arose, reported and asked leave to sit again.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills, instruct me to report and recommend that

H. B. No. 256 be concurred in as amended.

GLIDDEN, Chairman.

On motion of Glidden report adopted and House Bill No. 256 referred to Calendar for Third Reading.

By unanimous consent rules were suspended and the following Bills considered read a third time at length, read by title only:

S. B. No. 47 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes: None.

Absent and not voting: McCarthy.—1.

Title agreed to.

S. B. No. 136 passed by the following vote:

Ayes: Cowgill, Donlan, Everett, Glidden, Harper, Haviland, Long, Martien, Miles, Muffly, McCarthy, Rae, Romney, Sanders, Truscott.—15.

Noes: Albright, Annin, Bielenberg, Cardwell, Edwards, Fairbanks, Metcalf, McCone, McDonnell, McLean, White.—11.

Absent and not voting: Tooley.—1.

Title agreed to.

H. B. No. 18 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Truscott.—24.

Noes: Glidden, White.—2.

Absent and not voting: Tooley.—1.

Title agreed to.

H. B. No. 170 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Glidden, Harper, Haviland, Long, Martien, Miles, Muffly, McCarthy, Rae, Romney, Sanders, Truscott, White.—20.

Noes: Everett, Fairbanks, Metcalf, McCone, McDonnell, McLean.—6.

Absent and not voting: Tooley.—1.

Title agreed to.

H. B. No. 227 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Truscott, White.—26.

Noes: None.

Absent and not voting: Tooley.—1.

Title agreed to.

H. B. No. 306 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Truscott, White.—26.

Noes: None.

Absent and not voting: Tooley.—1.

Title agreed to.

Sub. for H. B. No. 310 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes: Harper, Muffly.—2.

Absent and not voting: None.

Title agreed to.

H. B. No. 312 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—27.

Noes: None.

Absent and not voting: None.

Title agreed to.

H. B. No. 350 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes: None.

Absent and not voting: McCarthy.—1.

Title agreed to.

H. B. No. 364 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott.—26.

Noes: White.—1.

Absent and not voting: None.

Title agreed to.

H. B. No. 411 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—27.

Noes: None.

Absent and not voting: None.

Title agreed to.

H. B. No. 256 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes: None.

Absent and not voting: Everett.—1.

Title agreed to.

Referring back to Second Order of Business, Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred H. B. No. 409, being a Bill for an Act entitled, "An Act making appropriations for the Executive and Judicial Departments of the State Government for two years, namely, from February 28, 1907, to February 28, 1908, and from February 28, 1908, to February 28, 1909, respectfully report same back with the following amendments:

Section 1. In line 24 of the printed bill strike out the words "One thousand eight hundred" and insert in lieu thereof the words "two thousand one hundred".

Section 1. In line 25 of the printed bill strike out the words "one thousand five hundred" and insert in lieu thereof the words "one thousand eight hundred".

Section 1. After line 26 of the printed bill insert a line to be numbered 26 1-2 to read as follows:

"For expense of bond for State Treasurer, one thousand five hundred dollars".

Section 1. Strike out the words "three thousand dollars for salary of the State Superintendent of Public Instruction in the engrossed bill, and insert in lieu thereof the words, "two thousand five hundred dollars".

Section 1. In line 50 of the printed bill strike out the word "five" and insert in lieu thereof the word "two".

Section 1. For salary of second assistant to State Examiner in the engrossed bill, strike out the words "one thousand five hundred".

Section 1. In line 73 of the printed bill, strike out the word "one" after the word "expenses" and insert in lieu thereof the word "two".

Section 1. In line 110 of the printed bill, strike out the word "four" after the word "expenses" and insert in lieu thereof the word "two".

Section 1. Add after line 110 of the printed bill, making a new line numbered 110 1-2, to read as follows: "For salary clerk of State Board of Examiners, One Thousand Eight Hundred Dollars".

Section 1. Amend by striking out all of lines 124 and 125 in printed bill.

Section 1. Amend by striking all of lines 133 and 134 in the printed bill.

Section 1. Amend by striking out in the engrossed bill the following words "for salaries of Meat and Milk Inspectors from February 28, 1907 to February 28, 1908, Ten Thousand Dollars". "For actual and necessary expense of the Meat and Milk Inspection Commission from February 28, 1907 to February 28, 1908, One Thousand Dollars".

Section 1. Amend by adding in line 149 of the printed bill after the word "thousand" the word five hundred".

Section 1. Amend by striking out the following words as the same appear in the engrossed bill, "For salary Clerk of the State Mine and Coal Mine Inspector, One Thousand Eight Hundred Dollars".

Section 2. Amend by striking out the words "One Thousand, Eight Hundred, in line 174 of the printed bill and inserting in lieu thereof the words "two thousand one hundred".

Section 2. In line 175 of the printed bill amend by striking out the word "one thousand five hundred" and inserting in lieu thereof the words "one thousand eight hundred".

Section 2. Amend Section 2 of the engrossed bill by adding the following words: "For expense of bond for State Treasurer, One Thousand Five Hundred Dollars."

Section 2. Amend Section 2 in line 196 of the printed bill by adding after the words "Five Hundred", the words and "Eighty Five".

Section 2. Amend Section 2 in line 201 of the printed bill by striking out the words "Five Hundred", and inserting in lieu thereof the words "Two Hundred".

Section 2. For salary of Second Assistant to the State Examiner, strike out the words "Five" after the word "Thousand" in the engrossed bill, and insert in lieu thereof the word "two".

Section 2. In Section 2 of the engrossed bill strike out the following words "For salary Clerk of State Mine and Coal Mine Inspector, One Thousand Eight Hundred Dollars".

Section 2. Amend by adding in Section 2 of the engrossed bill the following words "For salary of Clerk of the State Board of Examiners, One Thousand Eight Hundred Dollars."

Section 2. In Section 2 of the engrossed bill strike out the following words "For Clerk to Secretary of Bureau of Child and Animal Protection, Six Hundred Dollars."

Section 2. In Section 2 of the engrossed bill amend by striking out the following words "Carey Land Act Board", "For Expenses of the Carey Land Act Board, One Thousand Five Hundred Dollars", "For salary of Secretary, One Thousand Two Hundred Dollars."

Section 2. In Section 2 of the engrossed bill, amend by striking out the following words: "For salaries of Meat and Milk Inspectors from February 28, 1908, to February 28, 1909, Ten Thousand Dollars".

Section 2. Amend Section 2 of the engrossed bill by striking out the following words: "For actual and necessary expenses of the Meat and Milk inspection commission from February 28, 1908 to February 28, 1909, One Thousand Dollars."

Section 2. Amend Section 2 by striking out in line 257 of the printed bill the words "four" and inserting in lieu thereof the word "Two".

Section 2. Amend Section 2 in line 295 of the printed bill by adding after the word "Thousand" the words "Five Hundred".

Section 2. Amend Section 2 in line 295 of the printed bill by inserting after the word "Thousand" the words "Five Hundred".

And that as amended the bill be concurred in.

Respectfully submitted,

McCONE, Chairman.

On motion of McCone report adopted and bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill No. 257, being a Bill for an Act entitled "An Act for the submitting to the qualified electors of the State of Montana an amendment to Article 12 of the Constitution of the State of Montana, relating to the revenue and taxation, and providing for an increase in the tax levy, beg leave to report as follows:

That they have had said bill under consideration, and recommend that the same be concurred in.

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred House Bill No. 422, being a Bill for an Act entitled, an Act to appropriate moneys for the payment of per diem of officers and attaches of the Tenth Legis-

lative Assembly of the State of Montana, beg leave to report as follows: That they have had said bill under consideration and recommend that the same be concurred in.

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate, Chamber, Helena, Montana, March 6th, 1907.

Mr. President:

Your Committee on Judiciary to whom was referred House Bill No. 414, being a Bill for an Act entitled "An Act relating to banks and banking corporations and to trust, deposit, and security and savings banks corporations, and repealing Section 4061 of the Political Code of Montana, relating to licenses." Having had the same under consideration respectfully recommend that the bill be amended as follows:

Strike out the word "thirty" in line 4 of Section 3, and insert in lieu thereof the word "twenty".

Strike out the words "and profits" in line 5 of Section 3.

Strike out all of the ten last lines of Section 3 after the word "borrowed" and as amended recommend that the Bill be concurred in.

WHITE, Chairman.

On motion of Albright report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 135 beg leave to report as follows: That the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for Third Reading.

Senate resumed in Committee of the Whole, with

Glidden in the chair.

Committee arose.

Senate resumed.

President in the chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the general File of Bills instruct me to report and recommend that

H. B. No. 409 be concurred in as amended.

GLIDDEN, Chairman.

On motion of Glidden report adopted and Bill referred to Calendar for third reading.

Senate resumed third reading of House Bills under suspension of Rules by unanimous consent made heretofore.

H. B. No. 409 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, McCarthy,

McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White. —25.

Noes. Muffly.—1.

Absent and not voting: Haviland.—1.

Title agreed to.

S. B. No. 135 passed by the following vote:

Ayes: Annin, Cardwell, Donlan, Fairbanks, Glidden, Harper, Long, Martien, Miles, McDonnell, Rae, Romney, Sanders, Tooley, Truscott.—15.

Noes: Albright, Bielenberg, Cowgill, Edwards, Everett, Metcalf, Muffly, McCone, McLean, White.—10.

Absent and not voting: Haviland, McCarthy.—2.

Title agreed to.

Recessed until 2:30 P. M.

Senate reconvened at 2:30 P. M.

President in the Chair.

Roll called. Quorum present.

Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Steering begs leave to report the following Bills for General File: House Bills Nos. 194, 195, 257, 269, 308, 329, 301, 405, 402, 404, 422, and Senate Bill No. 88.

DONLAN, Chairman.

Report adopted and Bills referred to General File.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 116 beg leave to report as follows:

That the same has been correctly engrossed.

Respectfully submitted,

ALBRIGHT, Chairman.

Report adopted and Bill referred to Calendar for Third Reading.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Counties and Towns to whom was referred House Bill No. 419 beg leave to report as follows: We have had the same under consideration and recommend that the same be indefinitely postponed.

Respectfully submitted,

DONLAN, Chairman.

On motion of Donlan report adopted and Bill indefinitely postponed.

Following communications from the House received and read:

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Amendment to House Bill No. 409 was not concurred in, and a conference Committee of five was appointed by the Speaker to confer with a like Committee of the Senate.

Mr. Speaker appointed Bennett of Madison, Corby, O'Connor, Morgan and Blake.

Respectfully,

C. B. GIBBS, Chief Clerk.

Donlan moved that a Committee of Five be appointed by the President to meet with a like Committee from the House concerning Senate Amendments to H. B. No. 409.

Motion carried.

President appointed Martien, McCone, Albright, Romney, and Donlan, as such Conference Committee.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following Bill was this day introduced by unanimous consent, read first and second times:

By Seidler: H. B. No. 424. A Bill for an Act to amend Section 310, Division L, Part III, Title II, Chapter II, Civil Code of the State of Montana concerning the adoption of minor children.

Respectfully,

C. B. GIBBS, Chief Clerk.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 420, have been read a third time and passed by the House as amended and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

By unanimous consent rules were suspended and the following Bill read a first and second time by title only:

H. B. No. 420: By Miller of Park. A Bill for an Act entitled "An Act prohibiting the publication in Newspapers, other papers, or otherwise of offensive, improper and obscene advertising or other matter and providing for prosecutions and penalties.

Referred to Committee on Judiciary.

On motion of Martien Senate resolved itself into Committee of the Whole to consider Bills on the General File with,

Edwards in the Chair.

Committee arose.

Senate resumed.

President in the Chair.

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

H. B. No. 194 be concurred in.

That H. B. No. 413 be concurred in as amended.

That H. B. No. 195 be concurred in.

That H. B. No. 257 be concurred in.

That H. B. No. 269 be concurred in.

That H. B. No. 308 be concurred in.

That H. B. No. 329 be concurred in.

That H. B. No. 401 be concurred in.

That H. B. No. 405 be concurred in.

That H. B. No. 402 be concurred in.

That H. B. No. 404 be concurred in.

That H. B. No. 422 be concurred in.

That S. B. No. 88 do pass as amended.

EDWARDS, Chairman.

Long demanded a segregation of the report as to House Bill No. 195.

Long moved a Call of the Senate.

Motion carried.

Roll call resulted as follows:

Present: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Absent: Haviland.—1.

The Sergeant at Arms was directed to bring Haviland to the bar of the Senate.

Martien moved that further proceedings under the call be dispensed with.

Motion lost.

Haviland appeared at the Bar of the Senate and all Senators being preesnt further proceedings under the call of the Senate were dispensed with.

Everett moved to amend the report of the Committee of the Whole as to House Bill No. 195 to read as follows: Recommend that H. B. No. 195 be not concurred in, and that as so amended the report of the Committee of the Whole adopted.

Martien demanded a roll call.

On roll call the motion was lost by the following vote:

Ayes: Annin, Bielenberg, Cowgill, Donlan, Everett, Long, Martien, Metcalf, Muffly, McCarthy, Romney, Truscott.—12.

Noes: Albright, Cardwell, Edwards, Fairbanks, Glidden, Harper, Haviland, Miles, McCone, McDonnell, McLean, Rae, Sanders, Tooley, White.—15.

Absent and not voting: None.

Rae moved the adoption of the report of the Committee of the Whole.

Motion carried.

Senate Bill No. 88 referred to Committee on Engrossed Bills.

House Bills Nos. 194, 413, 195, 257, 269, 308, 329, 401, 405, 402, 404, 422, referred to Calendar for third reading.

Referring back to Fifth order of Business the following communication from the House received and read.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to request the return of Senate Bills Nos. 102 and 125 for further consideration.

Respectfully,

C. B. GIBBS, Chief Clerk.

On motion of Donlan request of House granted as to House Bills Nos. 102 and 125 and Secretary instructed to return same.

On motion of Donlan Senate Bill No. 88 was considered Engrossed and placed upon Calendar for Third reading.

House of Representatives, Helena, Montana.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 409 having been recommended by the Joint Conference Committee, report back to the House with the recommendation that the amendments be concurred in and the report being adopted by the House, the Bill is herewith returned to your Honorable Body for its concurrence to the House amendments.

Respectfully,

C. B. GIBBS, Chief Clerk.

Conference Committee reported as follows:

Helena, Montana, March 7, 1907.

Mr. President:

Your Joint Committee from the House and Senate appointed to confer on House Bill No. 409 beg to recommend that the House of Representatives accept all the Senate Amendments except those in line 110, lines 124 and 125, 257, 270, and 271 and that the Senate recede from its amendments to the said lines 110, 124, 125, 257, 270 and 271.

McCONE,
Chairman Senate Joint Conference Com.

BENNETT,
Chairman House Joint Conference Com.

McCone moved the adoption of the report of the Conference Committee.

Motion carried by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Edwards, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, Rae, Sanders, Tooley, Truscott, White.—22.

Noes.—None.

Absent and not voting: Cowgill, Donlan, Glidden, McLean, Romney.—5.

Committee on Enrolled Bills reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bills numbered 66, 118, 124, Senate Joint Resolution No. 3, and Substitute Bill No. 113, beg leave to report as follows: That the same have been correctly enrolled.

Respectfully submitted,

RAE, Chairman.

After giving notice President signed Senate Bill No. 124, S. J. R. No. 3, Senate Bills Nos. 66, 118, and Substitute for Senate Bill No. 113.

Following Communication from the House received and read:

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 424 having been read a third time and passed by the House is herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

Senate resumed first and second reading of House Bills under suspension of rules made heretofore.

H. B. No. 424: By Seidler. A Bill for an Act to amend Section 310

Division I, Part III, Title II, Chapter II, Civil Code of the State of Montana concerning the adoption of minor children.

Referred to Committee on Judiciary.

Referring back to Second Order of Business Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Judiciary having duly considered House Bill No. 424 respectfully recommend that the same be concurred in.

WHITE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Steering recommends that House Bill No. 424 be placed on the General File for immediate consideration.

DONLAN, Chairman.

Report adopted and Bill referred to General File.

Senate resumed in Committee of the Whole with

Edwards in the Chair.

Committee arose.

Senate resumed.

President in the Chair.

Cmmittee of the Whole reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

H. B. No. 424 be concurred in.

EDWARDS, Chairman.

Report adopted and Bill referred to Calendar for Third Reading.

Senate resumed third reading of Bills under suspension of rules made heretofore.

House Bill No. 424 concurred in by the following vote:

Ayes: Albright, Bielenberg, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Annin, Cowgill, McCone.—3.

Title agreed to.

S. B. No. 116 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Fairbanks, Glidden, Harper, Haviland, Long, Miles, Muffly, McCarthy, McDonnell, Rae, Romney, Tooley, Truscott.—18.

Noes—Martien, Sanders, White.—3.

Absent and not voting: Donlan, Edwards, Everett, Metcalf, McCone, McLean.—6.

Title agreed to.

H. B. No. 413 concurred in by the following vote:

Ayes: Albright, Annin, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting:—Bielenberg.—1.

Title agreed to.

H. B. No. 194 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—27.

Noes—None.

Absent and not voting—None.

Title agreed to.

H. B. No. 257 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes—None.

Absent and not voting: Long.—1.

Title agreed to.

House Bill No. 257 reads as follows:

H. B. No. 257 introduced by Allen,

A Bill for an Act entitled "An Act for the submitting to the qualified electors of the State of Montana, an amendment to Article XII of the Constitution of the State of Montana, relating to the revenue and taxation, and providing for an increase in the tax levy.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. There shall be submitted to the qualified voters of the State of Montana, at the next general election, the following amendments to Section 9, Article XII, of the Constitution of the State of Montana, that Section 9, Article XII of the Constitution be and the same is hereby amended to read as follows: "Section 9. The rate of taxation of real and personal property for State purposes in any one year, shall never exceed three (3) mills on each dollar valuation, and whenever the taxable property in this state shall amount to Five Hundred Million Dollars ($500,000,000.00), the rate shall not exceed two and one half mills (2½) on each dollar valuation, and whenever the taxable property in this State shall amount to Eight Hundred Million Dollars ($800,000,000.00), the rate shall never exceed two (2) mills on each dollar valuation, unless the proposition to increase such rate, specifying the rate proposed and the time during which the rate shall be levied, shall have been submitted to the people at the general election, and shall have received a majority of all the votes cast for and against it at such election".

Section 2. Separate official ballots shall be used at the next general election to be held in November, 1908, which shall have thereon the words "For the amendment to the Constitution providing for an increase in tax levy", and the words, "Against the amendment to the Constitution, providing for an increase in tax levy".

Section 3. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 4. This Act shall take effect and be in full force from and after its passage and approval."

After giving notice President signed H. B. No. 424.

Senate resumed third reading of Bills under suspension of the rules made heretofore:

H. B. No. 402 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Glidden, Harper Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McLean, Rae, Romney, Sanders, Truscott, White.—22.

Noes—None.

Absent and not voting: Albright, Edwards, Fairbanks, McDonnell, Tooley.—5.

Title agreed to.

H. B. No. 329 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes—None.

Absent and not voting: Albright, Fairbanks, McCone.—3.

Title agreed to.

H. B. No. 308 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Fairbanks, McCone.—2.

Title agreed to.

H. B. No. 195 concurred in by the following vote:

Ayes: Albright, Cardwell, Edwards, Fairbanks, Glidden, Harper, Haviland, Miles, McCone, McLean, Rae, Sanders, Tooley, White.—14.

Noes: Annin, Bielenberg, Cowgill, Donlan, Everett, Long, Martien, Metcalf, Muffly, McCarthy, Romney, Truscott.—12.

Absent and not voting: McDonnell.—1.

Title agreed to.

H. B. No. 269 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes—None.

Absent and not voting: Fairbanks, McCone.—2.

Title agreed to.

H. B. No. 401 concurred in by the following vote:

Ayes: Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Glidden, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Truscott, White.—21.

Noes—None.

Absent and not voting: Albright, Edwards, Fairbanks, Harper, McCone, Tooley.—6.

Title agreed to.

H. B. No. 405 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Donlan, Glidden, Haviland, Long, Martien, Miles, Muffly, McCarthy, Rae, Romney, Sanders, White.—16.

Noes: Cowgill, Everett, Harper, Metcalf, McCone, McDonnell, McLean, Truscott.—8.

Absent and not voting: Edwards, Fairbanks, Tooley.—3.

Title agreed to.

H. B. No. 404 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Donlan, Everett, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCone, McDonnell, McLean, Rae, Romney, Sanders, Truscott, White, Cowgill.—23.

Noes—None.

Absent and not voting: Donlan, Fairbanks, McCarthy, Tooley.—4.

Title agreed to.

H. B. No. 422 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Truscott, White.—23.

Noes: Rae.—1.

Absent and not voting: Edwards, Glidden, Tooley.—3.

Title agreed to.

S. B. No. 88 passed by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Everett, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Truscott, White.—23.

Noes—None.

Absent and not voting: Donlan, Edwards, Fairbanks, Tooley.—4.

Title agreed to.

Committee on Enrolled Bills reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Substitute for Senate Bills Nos. 115 and 108, beg leave to report as follows:

That the same has been correctly enrolled.

Respectfully submitted,

RAE, Chairman.

After giving notice President signed Substitute for S. B. Nos. 115 and 108.

Following communications from the House received and read.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the Conference Committee to whom House Bill No. 151 was referred report back to the House and the report was adopted by the House.

Respectfully,

C B. GIBBS, Chief Clerk.

Conference Committee reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

We, a minority of the Joint Conference Committee on House Bill No. 151, but being a majority of the Senate Committee at such conference, respectfully report:

That your committee have agreed unanimously to recommend the acceptance by the House of the Senate amendments to Sections 31, 2, 7, 10, 11, and 12; also have unanimously agreed that the Senate recede from its amendments to Section 2; also report that, as to the amendments to Sections 5 and 8, we a majority of the Senate Committee decline to yield, and no agreement was had in said conference whereby a majority of the Committee from each House agreed as to the amendments to Sections 5 and 8.

EDWARDS, Chairman.
LONG.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

We, the majority of your Joint Conference Committee, on House Bill No. 151, respectfully report:

That your committee have agreed unanimously to recommend the acceptance by the House of the Senate amendments to Sections 1, 2, 7, 10, 11 and 12.

And have also unanimously agreed that the Senate recede from its amendments to Section 3.

And have also decided to respectfully recommend that the Senate recede from its amendments to Sections 5 and 8.

Respectfully submitted,

ANNIN,
SCALLON,
SWINDLEHURST,
DONALD CAMPBELL.

Edwards moved the adoption of the Minority report.

On roll call motion was lost by the following vote:

Ayes: Albright, Donlan, Edwards, Fairbanks, Glidden, Haviland, Long, Miles, Muffly, Tooley, White.—11.

Noes: Annin, Bielenberg, Cardwell, Cowgill, Everett, Harper, Martien, Metcalf, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Truscott.—15.

Absent and not voting: McCone.—1.

Rae moved the adoption of the Majority report.

Long made the point of order that under Section 243, Reed's Parliamentary Rules, a majority of each conference committee must assent to the report.

Point of order sustained by the Chair.

Edwards moved that the present Conference Committee be discharged and a new conference committee be appointed.

Long moved to lay the motion on the table.

Rae demanded a roll call.

On roll call the motion to lay on the table was carried by the following vote:

Ayes: Albright, Annin, Cardwell, Cowgill, Donlan, Edwards, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, White.—15.

Noes: Bielenberg, Muffly, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott.—10.

Absent and not voting: Everett, McCone.—2.

Annin moved that a further conference with the House be requested and that the Senate Conference Committee be directed to further confer with the House Committee on H. B. No. 151.

Motion carried.

After giving notice the President signed House Bills Nos. 367, 310, 411, 89, 364, 170, 268, 296, 350.

Referring back to Second Order of Business, Standing Committees reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Finance and Claims to whom was referred House Bill No. 415, being a Bill for an Act entitled, "An Act to amend Section 443, Political Code of Montana, relating to bonds to be given the State Treasurer", beg leave to report:

That they have had said Bill under consideration and recommend that it be concurred in.

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred H. B. No. 420, being a Bill for an Act entitled, "An Act prohibiting the publication in newspapers, other papers or otherwise, of offensive, improper and obscene advertising or other matter, and providing for prosecutions and penalties",

Beg leave to report and respectfully recommend that said Bill be concurred in.

WHITE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Finance and Claims, to whom was referred H. B. No. 418, being a Bill for an Act entitled, "An Act to repeal Sections 2990, 3016, 3046 and 3076 of the Political Code, and all acts amendatory of, or supplementary to said Sections and which provide for special taxes on cattle, horses, mules, asses and sheep", beg leave to report:

That they have had said Bill under consideration and recommend that it be concurred in.

McCONE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7, 1907.

Mr. President:

Your Committee on Fish and Game having had under consideration H. B. No. 327, a Bill for an Act entitled, "An Act to promote the propagation of Fish and Game, and to provide for the appointment of County Game and Fish Commissioners",

Respectfully report that the same is indefinitely postponed.

MILES, Chairman.

On motion of Miles report adopted and Bill indefinitely postponed.

Senate Chamber, Helena, Montana, March 7, 1907.

Mr. President:

Your Committee on Judiciary, to whom was referred House Bill No. 318. being a Bill for an Act entitled, "An Act concerning bonds, recognizances, and written undertakings entered into or taken by an officer", also

H. B. No. 319, being a Bill for an Act entitled, "An Act concerning jurisdiction of District Courts and to amend Section 39 of the Code of Civil Procedure of the State of Montana", beg leave to report and respectfully recommend that said Bills be concurred in.

WHITE, Chairman.

Report adopted and Bill referred to Steering Committee.

Senate Chamber, Helena, Montana, March 7, 1907

Mr. President:

Your Committee on Fish and Game having had under consideration Substitute for House Bill No. 371, being a Bill for an Act entitled "An Act to amend Section 2 of Chapter 52 of the Laws of 1905, relating to the protection of birds, fish, fur-bearing animals and game, and respectfully report that same be concured in with the following amendments, Section 2, Line 4, by striking out after the word "buffalo" the following three words, "Antelope, or beaver," and insert in lieu thereof the following: "Or more than one Antelope which can be killed only between September 1st, and December 1st," and by striking out all of lines 7, 8, 9, 10, and 11, after the word "Imprisonment" in line 7.

Respectfully submitted,

MILES, Chairman.

On motion of Miles report adopted and Bill referred to Steering Committee.

Following communications from House received and read:

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bills Nos. 128, 98, 9 and 130 have been read a third time and concurred in by the House and are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

Senate Bills Nos. 128, 98, 99 and 130 referred to Committee on Enrolled Bills.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that Senate Bills No. 123, has been read a third time and concurred in as amended, and 125 has been concurred in, are herewith returned to your Honorable Body for concurrence in House amendments.

Respectfully,

C. B. GIBBS, Chief Clerk.

House amendments to Senate Bill No. 123 were not concurred in by the following vote:

Ayes: Albright, Cardwell, Donlan, Glidden, Miles, McCarthy, Rae, Sanders.—8.

Noes: Bielenberg, Cowgill, Edwards, Everett, Fairbanks, Harper, Martien, Metcalf, McCone, McDonnell, McLean, Tooley, White.—13.

Absent and not voting: Annin, Haviland, Long, Muffly, Truscott, Romney.—6.

Glidden moved that a conference be requested with the House and that the President appoint a committee of three to confer with a like committee from the House concerning Senate Bill No. 123.

Motion carried.

Martien moved that further consideration of the bill be indefinitely postponed.

Motion carried.

Senate Bill No. 125 referred to Committee on Enrolled Bills.

After giving notice President signed House Bills Nos. 422 166, Sub. for H. B. No. 10, 291 and 324.

Referring back to Ninth Order of Business, Donlan moved that the vote by which House Bill No. 403 was indefinitely postponed be reconsidered.

Tooley moved a Call of the Senate.

Motion carried.

Roll call resulted as follows:

Present: Albright, Annin, Bielenberg, Cardwell, Donlan, Edwards, Everett, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White. —24.

Absent: Cowgill, Fairbanks, Muffly.—3.

The Sergeant at Arms was directed to bring Cowgill, Fairbanks, Muffly to the bar of the Senate.

On motion of McCarthy further proceedings of the call were dispensed with.

The motion to lay on the table was lost by the following vote:

Ayes: Albright, Annin, Bielenberg, Cowgill, Harper, Miles, Tooley.—7.

Noes: Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden Haviland, Long, Martien, Metcalf, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Truscott, White.—19.

Absent and not voting: Muffly.—1.

Whereupon the vote recurring upon the original motion same was carried.

Donlan moved that the House be notified of the action of the Senate on House Bill No. 403 and be requested to return same to the Senate for further consideration.

Motion carried.

Following communication from the House received and read:

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that Senate Bills Nos. 53 and Sub. for Senate Bill No 117 have been read a third time and concurred in as amended and are herewith returned to your Honorable Body for concurrence amendments.

Respectfully,

C. B. GIBBS, Chief Clerk.

House amendments to S. B. No. 53 were on motion of Donlan concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes: None.

Absent and not voting: Muffly.—1.

S. B. No. 53 referred to Committee on Enrolled Bills.

S. B. No. 117 having passed the House without amendments same was referred to Committee on Enrolled Bills.

Following communication from the House was received and read:

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Bady that Senate Bills Nos. 102 have not been concurred in by the House and are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

Recess until 8 P. M.

Senate reconvened at 8 P. M.

President in the chair.

Roll called, quorum present.

Steering Committee reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Steering beg leave to report the following Bills for General File:

House Bill Nos. 247, 255, 299, 318, 319, 335, 337, 399, 412, 414, 415, 418; 420, 371.

Respectfully submitted,

DONLAN, Chairman.

Report adopted and Bill referred to General File.

Following communication from the House received and read:

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the House requests the return of Senate Bill No. 102, for its further consideration.

Respectfully,

C. B. GIBBS, Chief Clerk.

On motion of McCarthy the Secretary was instructed to return to the House Senate Bill No. 102 for its further consideration.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bill No. 403 is returned as per your request.

Respectfully,

C. B. GIBBS, Chief Clerk.

On motion of Donlan, House Bill No. 403 was placed on General File without going through the Steering Committee.

White moved that further consideration of such Bills that are not now on the General File, whether in the hands of a Committee or the Steering Committee be indefinitely postponed, provided that Bills now in conference in the two Houses be not included.

Motion carried.

On motion of Donlan Senate resolved itself into Committee of the Whole to consider Bills on the General File, with

Harper in the chair.

Committee arose.

Senate resumed.

President in the chair.

After giving notice the President signed House Bills Nos. 195, 402, 404, 269, 18, 227, 257, 312 and 401

Committee of the Whole reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee of the Whole having had under consideration the General File of Bills instruct me to report and recommend that:

H. B. No. 247 be concurred in;

That H. B. No. 255 be concurred in;

That Sub. for H. B. No. 299 be concurred in;

That H. B. No. 318 be concurred in;

That H. B. No. 319 be concurred in;

That H. B. No. 335 be concurred in;

That H. B. No. 337 be concurred in;

That H. B. No. 399 be concurred in;

That H. B. No. 412 be concurred in as amended;

That Sub. for H. B. No. 414 be concurred in as amended;

That H. B. No. 415 be concurred in;

That H. B. No. 418 be concurred in;

That H. B. No. 420 be concurred in;

That H. B. No. 403 be concurred in;

That Sub. for H. B. No. 371 be concurred in as amended.

HARPER, Chairman.

On motion of White report adopted and House Bills Nos. 247, 255, Sub. for H. B. No. 299, 318, 319, 335, 337, 399, 412, Sub. for 414, 415, 418, 420, 403, and for 371 referred to Calendar for Third Reading.

Committee on Enrolled Bills reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bills numbered 98, 99, 117, 125, 128 and 130 beg leave to report as follows:

That the same have been correctly enrolled.

Respectfully submitted.

RAE, Chairman.

After giving notice President signed Senate Bills Nos. 130, 128, 117, 125, 98 and 99.

Following communication from the House received and read:

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the report of the Joint Conference Committee to whom House Bill No. 151 was referred and made in pursuance of the direction for a further conference has been adopted by the House.

Respectfully,

C. B. GIBBS, Chief Clerk.

Conference Committee reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

We, the Senate Conference Committee on House Bill No. 151 hereby respectfully report that your Committee have agreed unanimously to recommend that the Senate amendment to Sections 1, 2, 7, 10, 11 and 12 be insisted upon.

We have also unanimously agreed that the Senate recede from its amendments to Section 3.

We have also unanimously agreed that the Senate amendments to 5 and 8 be stricken out, and the following amendments to Sections 6 and 8 be substituted in lieu thereof: (Provided that when a bar-room is maintained in any hotel this Act shall not be construed to apply to the parts of the building where the other business of the hotel is transacted.

Respectfully submitted,

EDWARDS, Chairman.

White moved the adoption of the report of the Conference Committee on House Bill No. 151.

On roll call motion carried by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes: None.

Absent and not voting: Edwards, Glidden.—2.

Senate resumed reading House communications.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 363, 54 have been read a third time and passed by the House as amended and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

By unanimous consent rules were suspended and the following bills considered read a third time at length, read by title only:

H. B. No. 247 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott.—25.

Noes: None.

Absent and not voting: Martien, White.—2.

Title agreed to.

H. B. No. 255 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes: None.

Absent and not voting: Martien.—1.

Title agreed to.

Sub. for H. B. No. 299 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes: None.

Absent and not voting: Martien.—1.

Title agreed to.

H. B. No. 318 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—25.

Noes: None.

Absent and not voting: Donlan, Martien.—2.

Title agreed to.

H. B. No. 319 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes: None.

Absent and not voting: Donlan, Long, Martien,—3.

Title agreed to.

H. B. No. 335 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Romney, Sanders, Tooley, Truscott.—23.

Noes: None.

Absent and not voting: Donlan, Martien, Rae, White.—4.

Title agreed to.

H. B. No. 337 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—23.

Noes: None.

Absent and not voting: Donlan, Edwards, Martien, Romney.—4.

Title agreed to.

H. B. No. 399 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—24.

Noes: None.

Absent and not voting: Edwards, Martien, Romney.—3.

Title agreed to.

H. B. No. 412 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes: None.

Absent and not voting: Donlan, Edwards, Romney.—3.

Title agreed to.

Sub. for H. B. No. 414 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—24.

Noes: Martien.—1.

Absent and not voting: Edwards, Romney.—2.

Title agreed to.

H. B. No. 415 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Harper, Haviland, Long, Metcalf, Miles, McCarthy, McCone, McDonnell, McLean, Rae, Sanders, Tooley, Truscott, White.—22.

Noes: Glidden.—1.

Absent and not voting: Edwards, Martien, Muffly, Romney.—4.

Title agreed to.

H. B. No. 418 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—24.

Noes: None.

Absent and not voting: Edwards, Martien, Romney.—3.

Title agreed to.

H. B. No. 420 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes: None.

Absent and not voting: Edwards.—1.

Title agreed to.

H. B. No. 403 concurred in by the following vote:

Ayes: Albright, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Muffly, Rae, Romney, Sanders, Tooley, White.—19.

Noes: Annin, Bielenberg, Miles, McCone, McDonnell, McLean, Truscott, —7.

Absent and not voting: McCarthy.—1.

Title agreed to.

Sub. for H. B. No. 371 concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cowgill, Cardwell, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—26.

Noes: None.

Absent and not voting: McCone.—1.

Title agreed to.

The following communication from His Excellency, the Governor, received and read:

Executive Office, Helena, Montana, March 7th, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana.

The following Senate bills have been approved and deposited with the Secretary of State:

No. 61. An Act concerning delinquent children, or delinquent juveniles persons, etc.

No. 85. An Act to protect the owners of horses, mules and asses, etc.

No. 51. An Act to provide for the establishment of guide boards at forks of public roads, etc.

No. 109. Relating to the salary of the Chief Clerk of the Bureau of Agriculture, Labor and Industry.

No. 112. Relating to the duties and authority of the trustees of townships.

No. 105. To regulate the practice of Optometry.

No. 110. An Act to prohibit the making of false or exaggerated statements concerning the affairs of any corporation, etc.

No. 122. An Act prescribing the conditions upon which foreign corporations may carry on the business of banking in the State of Montana, etc.

No. 128. An Act authorizing the State Furnishing Board to purchase cabinets, etc.

No. 66. An Act to create the office of State Fire Warden, etc.

No. 118. An Act relating to corporations, etc.

No. 124. An Act to appropriate money to pay to the owners of bonds heretofore issued by the State Board of Land Commissioners, etc.

Sub. for No. 113. An Act fixing the compensation and expenses of the State Game and Fish Warden, etc.

Sub. for Nos. 115 and 108. An Act permitting residents of Montana to fish without a license.

S. J. R. No. 3. Protesting against the Burkett Bill.

J. K. TOOLE, Governor.

Referring back to the Fifth Order of Business, the following communication from the House was received and read:

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that S. B. No. 102 has been read a third time and concurred in as amended, is herewith returned to your Honorable Body for concurrence in House amendments.

Respectfully,

C. B. GIBBS, Chief Clerk.

House amendments to S. B. No. 102 were on motion of Long concurred in by the following vote:

Ayes: Albright, Annin, Bielenberg, Cardwell, Cowgill, Donlan, Edwards, Everett, Fairbanks, Glidden, Harper, Haviland, Long, Martien, Metcalf, Miles, Muffly, McCarthy, McCone, McDonnell, McLean, Rae, Romney, Sanders, Tooley, Truscott, White.—27.

Noes: None.

Absent and not voting: None.

S. B. No. 102 referred to Committee on Enrolled Bills.

Senate resumed reading of House communications.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that Senate Bills Nos. 47 and 131 have been read a third time and concurred in by the House, and are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

Senate Bills Nos. 47 and 131 referred to Committee on Enrolled Bills.

Senate resumed first and second reading of House Bills under suspension of the rules made heretofore:

H. B. No. 54: By Marshall. A Bill for an Act entitled "An Act to provide for the appointment of a State Veterinary Medical Examining Board, describing their powers and duties and regulating the practice of veterinary medicine within the State of Montana."

On motion of White H. B. No. 54 was indefinitely postponed.

H. B. No. 363: By Barbour. A Bill for an Act entitled "An Act to amend Section 1, Subdivision 2, of Section 2, Subdivision 4 and 6 of Section 15, of an Act entitled 'An Act to create the office of Milk and Meat Inspector for the State of Montana, and prescribing their powers and duties and compensation therefor, and repealing all acts and parts of acts in conflict therewith."

On motion of Miles H. B. No. 363 was indefinitely postponed.

Recess for thirty minutes.

Senate reconvened.

President in the chair.

Roll called, quorum present.

Following communication from the House received and read:

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable body that Senate Bills Nos. 88, 135, 136 have been read a third time and concurred in by the House and are herewith returned.

Respectfully,

C. B. GIBBS, Chief Clerk.

Senate Bills Nos. 88, 135 and 136 referred to Committee on Enrolled Bills.

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that House Bills Nos. 423 have been read a third time and passed by the House as amended, and are herewith transmitted to your Honorable Body for its concurrence.

Respectfully,

C. B. GIBBS, Chief Clerk.

On motion of White H. B. No. 423 was indefinitely postponed.

On motion of Tooley, Senate proceeded to vote viva voce for President pro tempore of the Senate to hold until the convening of the next Legislature.

Tooley nominated A. W. Miles.

McCarthy nominated Charles Martien.

Roll being called the following named Senators voted for Senator Miles:

Albright, Annin, Bielenberg, Cowgill, Donlan, Everett, Fairbanks, Harper, Martien, Metcalf, McCone, McDonnell, McLean, Rae, Sanders, Tooley, White. —17.

The following named Senators voted for Senator Martien:

Cardwell, Glidden, Haviland, Long, Miles, Muffly, McCarthy, Romney, Truscott.—9.

Whereupon Miles was declared President pro tempore of the Senate.

Recess for thirty minutes.

Senate reconvened.

President in the chair.

Roll called, quorum present.

The following communication from His Excellency, the Governor, received and read:

Executive Office, Helena, Montana, March 7th, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana.

I hereby nominate and appoint with the advice and consent of the Senate the following persons as members of the State Board of Health:

Dr. William Treacy of Lewis and Clark County for the term of four years.

Dr. W. H. Haviland, of Silver Bow County and Dr. Thomas D. Tuttle, of Yellowstone County, the two last named members to hold office until the first day of January, 1909.

The foregoing appointments are made pursuant to an Act entitled "An Act to establish a State Board of Health, etc., approved March 6, 1907."

Also the following members of the State Text Book Commission:

S. F. Largent of Cascade County.

Randall J. Condon of Lewis and Clark County.

L. R. Foote of Beaverhead County.

Robert B. Smith of Flathead County.

W. E. Chambers of Silver Bow County.

W. E. Harmon of Gallatin County, and

Lewis Terwilliger of Park County.

which said appointments are made pursuant to an Act entitled "An Act to create a State Text Book Commission, etc." approved March 7, 1907.

Also, one Judge of the District Court of the Fourth Judicial District, to-wit:

Henry E. Meyers of Ravalli County.

This appointment is made pursuant to an Act entitled "An Act to provide for an additional Judge for the Fourth Judicial District" approved March 7, 1907.

Also, one Judge of the District Court of First Judicial District to fill the vacancy caused by the resignation of Honorable Henry C. Smith, to-wit: Thomas C. Bach of Lewis and Clark County, to hold office until the first day of January, 1909.

Also, one State Engineer, to-wit: John W. Wade, of Lewis and Clark County, to hold office for the term of four years.

J. K. TOOLE, Governor.

On motion of Donlan the nominations of the Governor were confirmed.

The following communication from the House was received and read:

House of Representatives, Helena, Montana, March 7th, 1907.

Mr. President:

I am directed by the House to inform your Honorable Body that the following resolution by Gray was submitted to the House and adopted:

Resolved, that the House request the Senate to recede from its position in not having placed on General Orders, H. B. No. 120, and respectfully ask the Steering Committee to place same on File at once on General Orders.

Respectfully,

C. B. GIBBS, Chief Clerk.

On motion of Martien Senate refused to consider the request of the House concerning H. B. No. 120.

On motion of Donlan, the Secretary was instructed to notify the House of the action of the Senate on H. B. No. 120.

After giving notice President signed House Bills Nos. 329, 256, 413, 405, 318, 412, 247, 319, 420, 399, 308, 415, 306, 335, 337, 255, Sub. for 299.

The following communication from His Excellency, the Governor, was received and read:

Executive Office, Helena, Montana, March 7th, 1907.

To the President of the Senate, Senate Chamber, Helena, Montana.

The following Senate Bills have been approved and deposited with Secretary of State:

No. 99. An Act entitled "An Act to amend Chapter 96 of the Acts of 1903, providing for the establishment of the Montana State Fair, for the appointment of a Board of Directors, Executive Officers, and for the conduct and management thereof."

No. 117. An Act entitled "An Act to prohibit the use of Trust Company and Savings Bank titles unless the Company using such title is incorporated under the Trust Deposit and Security and Savings Bank Corporation Laws of Montana."

No. 125. An Act to amend Section 3000 and 3013 of the Political Code and the acts amendatory thereof, relating to the appointment of a State Veterinary Surgeon, his qualifications and salary."

No. 128. An Act to procure and preserve a uniform system of indexing and cross indexing the session laws of the State of Montana.

No. 130. An Act entitled "An Act to amend Section 15 of Chapter 11, of the Laws of 1903, relating to the licensing of taxidermists."

J. K. TOOLE, Governor.

Committee on Enrolled Bills reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Enrolled Bills reports that Senate Bills Nos. 98, 99, 117, 125, 128 and 130 have been duly signed by the Speaker of the House and are now in the hands of His Excellency, the Governor.

Respectfully submitted,

RAE, Chairman.

Recess for thirty minutes.

Senate reconvened.

President in the chair.

Roll called, quorum present.

Committee on Enrolled Bills reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Enrolled Bills to whom was referred Senate Bills Nos. 47, 53, 88, 102, 131, 135 and 136, beg leave to report as follows:

That the same have been correctly enrolled.

Respectfully submitted,

RAE, Chairman.

After giving notice the President signed Senate Bills Nos. 47, 53, 88, 102, 131, 135 and 136.

The following resolution was offered by Everett, read and adopted:

Resolved that the thanks of the Senate be and they are hereby tendered to the Honorable Edwin Norris for the very fair, able and impartial manner in which he has presided over the Senate of the Tenth Legislative Assembly;

That these Resolutions be spread upon the Journal of the Senate.

On motion of White the President appointed White, Glidden and Edwards a Committee to notify the House that the Senate had finished its business and was ready to adjourn sine die.

On motion of White the President appointed Everett, Long and Miles to wait on His Excellency, The Governor, and notify him that the Senate is now ready to adjourn, and ask him if he has any further communications to make.

The special committee appointed to notify the House that the Senate was ready to adjourn reported that it had performed the duty intrusted to it.

Committee from the House appeared at the bar of the Senate and notified the Senate that the House was ready to adjourn.

After giving notice the President signed House Bills Nos 403, 151, 418, 371, Sub. for H. B. No. 414, H. B. No. 409.

Committee on Enrolled Bills reported as follows:

Senate Chamber, Helena, Montana, March 7th, 1907.

Mr. President:

Your Committee on Enrolled Bill reports that Senate Bills Nos. 47, 53, 88, 102, 131, 135 and 136 have been duly signed by the Speaker of the House and are now in the hands of his Excellency, the Governor.

Respectfully submitted,

RAE, Chairman.

Special Committee appointed to wait on His Excellency, the Governor, reported that it had performed its duty, and that the Governor had no further communications to make to the Senate.

Senate then adjourned sine die.

C. E. WIGHT, Secretary.

Approved: EDWIN L. NORRIS, President of the Senate.

We hereby certify that the foregoing, consisting of pages 1 to 479 inclusive, constitutes and is the Journal of the Senate of the Tenth Legislative Assembly of the State of Montana.

EDWIN L. NORRIS, President of the Senate.

Attest: C. E. WIGHT, Secretary of the Senate.